



## **Annual Report on the Functioning of Panchayats in Tamil Nadu for the year 2008-09**

As provided under Section 166A of the Tamil Nadu Panchayats Act, 1994, the Annual Report on the functioning of Panchayats in the State of Tamil Nadu, for the year 2008-09 is placed on the table of the Legislative Assembly.

**Department of Rural Development & Panchayat Raj  
Government of Tamil Nadu**

**M.K. STALIN**  
Deputy Chief Minister



Secretariat,  
Chennai - 600 009

## FOREWORD

It is a matter of pride that all the three High Level Committees for recommending the devolution of greater powers and functions to rural and urban Local Bodies were constituted only during Kalaignar's tenure as Hon'ble Chief Minister of Tamil Nadu. The first High Level Committee was constituted in 1996 under the Chairmanship of Thiru. L.C.Jain, the second in 1997 under the Chairmanship of Thiru. Ko.Si.Mani, the then Hon'ble Minister for Rural Development and Local Administration and the third in 2007 under my Chairmanship. The Government have accepted majority of the recommendations of these Committees and issued orders for empowering more powers to rural and urban Local Bodies.

The salutary practice of laying the 'Annual Report on the functioning of Panchayats in Tamil Nadu' before the Legislative Assembly has been introduced by inserting a new section 166-A in to the Tamil Nadu Panchayats Act, 1994 in June, 2008. The first such Report for the years 2006-07 and 2007-08 was placed before the Assembly in February, 2009. It gives me great pleasure to place this Report for the year 2008-09, before the Legislative Assembly.

**(M. K. STALIN)**

**K. ASHOK VARDHAN SHETTY, I.A.S.,**  
Principal Secretary to Government,  
Rural Development and  
Panchayat Raj Department,



Secretariat,  
Chennai-600 009.

## **PREFACE**

The various initiatives taken by the Government of Tamil Nadu in the last three years have strengthened the administrative and financial capabilities of the Panchayat Raj Institutions, enabling them to function as effective units of Local Self-Government. In order to document and highlight these initiatives, an amendment was carried out to the Tamil Nadu Panchayats Act, 1994 requiring the placement of an 'Annual Report on the functioning of Panchayats in Tamil Nadu' before the State Legislative Assembly. The first such Report for the years 2006-07 and 2007-08 was placed before the Assembly during its session held in February, 2009.

We are happy to place the Second Annual Report on the functioning of Panchayats in Tamil Nadu covering the year 2008-09 before the Legislative Assembly. It is a document of record of the various amendments to the Act and Rules, important Government Orders passed, details of administrative and financial devolution made to the Panchayat Raj Institutions, etc. during the year 2008-09.

**(K. ASHOK VARDHAN SHETTY)**

## INDEX

Sl. No.	Contents	Page
1.	Introduction	1
2.	Elections to the Panchayats	3
3.	Local Democracy – Devolution of Powers	5
4.	Act Amendments	11
5.	Rule Amendments	15
6.	Important Government Orders issued in 2008-09	17
7.	Finances of the Panchayats	31
8.	Capacity Building	35
9.	Conclusion	39
10.	Annexure	41

# **1. INTRODUCTION**

## 1. INTRODUCTION

The 73<sup>rd</sup> Amendment to the Constitution brought about certain important changes to the Panchayat Raj system which are listed below:

- a) Introduction of a three tier system – at the Village, Intermediate (Block) and District levels. (There are 12,620 Village Panchayats, 385 Panchayat Unions (co-terminous with Blocks) and 29 District Panchayats in Tamil Nadu)
- b) Mandatory conduct of Local Body elections every five years and conduct of elections before the expiry of the duration of the Local Body or before the expiry of a period of 6 months from the date of its dissolution.
- c) Introduction of reservation of seats (i.e. ward members) and offices (i.e. Chairpersons/Presidents) for Scheduled Castes/Scheduled Tribes in proportion to their population in every Local Body with provision for rotation of the reserved seats and offices.
- d) Introduction of reservation of one third of total number of seats and offices for women with provision for rotation.
- e) Constitution of a State Election Commission as an independent body to conduct elections to both rural and urban Local Bodies regularly.
- f) Establishment of quinquennial State Finance Commission to recommend devolution of resources from the State Government to the rural and urban Local Bodies.
- g) Constitution of a District Planning Committee to consolidate the plans prepared by the rural and urban Local Bodies in the district with a view to prepare a comprehensive development plan for the district.
- h) Introduction of the concept of “Grama Sabha” comprising all registered voters in a Village Panchayat.

Pursuant to this, the Tamil Nadu Panchayats Act, 1994 was enacted and it came into force with effect from 22.04.1994. However, only after the change of Government in May 1996, the first ordinary elections were held to all the rural and urban Local Bodies in October 1996. The second ordinary elections to the Local Bodies were conducted during October 2001. The third ordinary elections to the Local Bodies were conducted in October 2006.

As per the original section 165 of the Tamil Nadu Panchayats Act, 1994, the District Panchayat had to prepare an Annual Report giving a true and full account of their activities during the previous year and forward to the Government and the Government should lay on the Table of the Legislative Assembly all such reports together with their comments thereon.

The District Panchayats in Tamil Nadu have only an advisory and planning role as per the Tamil Nadu Panchayats Act, 1994. The core functions of actual implementation and execution of schemes are done by the Panchayat Unions and Village Panchayats. Therefore, the reports placed on the Table of the Tamil Nadu Legislative Assembly were partial pertaining only to one of the three tiers of Panchayat Raj Institutions. These reports also did not contain the functioning of Panchayat Raj Institutions, elections held, funds released etc. which alone give a comprehensive view of the functioning of Panchayat Raj Institutions. The Tamil Nadu Legislative Assembly, being the highest law making authority should be provided with a macro view of the working of the Panchayat Raj Institutions in the State as a whole and a complete picture in a broader canvas rather than a micro picture of the working of each District Panchayat.

It was therefore decided that a comprehensive Annual Report on the state of the Panchayats in Tamil Nadu as a whole shall be placed on the Table of the Legislative Assembly, instead of laying individual reports of each District Panchayat. Accordingly, amendment was brought to the Tamil Nadu Panchayats Act, 1994, in Act No.34 of 2008, by omitting Sub-Section 2 of Section 165 and inserting a new Section 166-A, thereby, dispensing the laying of the Annual Report of District Panchayats and instead laying an Annual Report on the functioning of the Panchayats in the State on the table of the Legislative Assembly.

Accordingly, the first report on the functioning of the Panchayats in the State during the year 2006-07 and 2007-08 was placed on the table of the House during February, 2009. This is the Second Report on the functioning of the Panchayats in the State and pertains to the year 2008-09.

## **2. ELECTIONS TO THE PANCHAYATS**



## 2. ELECTIONS TO THE PANCHAYATS

### 2.1 State Election Commission

The conduct of elections to the Local Bodies vests with the Tamil Nadu State Election Commission, consisting of a Tamil Nadu State Election Commissioner appointed by the Governor under Article 243 K of the Constitution.

The present State Election Commissioner Thiru D. Chandrasekaran, I.A.S. (Retired), who was initially appointed for a two year term in May, 2006 was again reappointed for a second term of two years with effect from 22<sup>nd</sup> May, 2008 vide G.O.Ms.No.82, Rural Development and Panchayat Raj (PR.1) Department, dated 22.05.2008.

### 2.2 Casual Elections

#### 2.2.1 Direct Casual Elections

The Tamil Nadu State Election Commission conducts the Casual elections at a periodical interval of six months. Tamil Nadu State Election Commission has conducted two Casual elections during 2008-09 as detailed in Table-2.1 below:

**Table 2.1**  
**Number of seats and offices for which Casual elections**  
**were held in 2008-09**

Year & Month of election	Vacancy upto	Village Panchayat Ward Member	Village Panchayat President	Panchayat Union Ward Member	District Panchayat Ward Member	Total
Sep.'08	31.07.08	571	40	13	2	626
Feb.'09	31.12.08	402	53	16	1	472

#### 2.2.2. Indirect Casual Elections

The Indirect elections to fill up the casual vacancies arising from time to time are conducted every month. Number of Offices filled in the year 2008-09 is given in Table-2.2 below:

**Table 2.2**  
**Number of offices for which Casual elections**  
**were held in 2008-09**

Sl. No.	Category	No. of Offices filled in 2008-09
1.	District Panchayat Chairman	-
2.	District Panchayat Vice-Chairman	1
3.	Panchayat Union Chairman	3
4.	Panchayat Union Vice-Chairman	3
5.	Village Panchayat Vice-President	164

### **2.3 District Planning Committee Elections**

The second Ordinary Elections to elect the members of the District Planning Committee were already held on 30.4.2007. The details of the casual elections held during 2008-09 for the District Planning Committees is given in Table-2.3 below:

**Table - 2.3**  
**Casual Elections for District Planning Committees in 2008-09**

Name of the District	Date of Election	Segment	No. of vacancies
Thiruvannamalai	23.04.2008	Rural segment	1
Vellore	21.08.2008	Urban segment	1

### **3. LOCAL DEMOCRACY - DEVOLUTION OF POWERS**

### **3. LOCAL DEMOCRACY - DEVOLUTION OF POWERS**

#### **3.1 High Level Committees**

The Government of Tamil Nadu is committed to ensuring that the Panchayat Raj Institutions function as effective institutions of Local Self-Government. In 1996, soon after the first ordinary elections to the Local Bodies, the Government constituted the First High Level Committee under the Chairmanship of Thiru.L.C.Jain, the then full-time Member of the State Planning Commission to give recommendations on the entrustment of powers and functions to the Local Bodies. The Committee submitted its report to the Government in April, 1997. Again, the Government constituted the Second High Level Committee under the Chairmanship of Thiru. Ko.Si.Mani, the then Hon'ble Minister for Rural Development and Local Administration and this High Level Committee submitted its report on 11.1.1999. Most of the recommendations of the first two High Level Committees were acted upon by the Government and orders issued thereupon.

The Third High Level Committee was formed under the Chairmanship of Hon'ble Deputy Chief Minister Thiru. M.K. Stalin to devolve more powers and functions to the Local Bodies. The Committee presented its report to the Hon'ble Chief Minister of Tamil Nadu on 10.12.2007 with a total of 99 recommendations categorized under 39 subjects.

#### **3.2 Orders issued by the Government on the recommendations of the M.K. Stalin Committee**

Out of the total 99 recommendations including the interim recommendations made by the M.K. Stalin Committee, the Government have so far issued orders on 61 recommendations. The details of the orders issued by the Government during 2008-09 are given below:

##### **(i) Grama Sabha**

As per the recommendation of the Committee, the Government have issued orders in G.O.Ms.No.160, Rural Development and Panchayat Raj (PR.1) Department, dated 30.09.2008 empowering the Village Panchayat Presidents to incur an expenditure upto Rs.1,000/- per Grama Sabha.

##### **(ii) Vehicles to Panchayat Union Chairpersons**

The Third High Level Committee constituted under the Chairmanship of Hon'ble Deputy Chief Minister recommended that the Panchayat Union Chairpersons should be given an independent vehicle like District Panchayat Chairpersons, to facilitate

better supervision of schemes. It was, thus, announced on the floor of the Tamil Nadu Legislative Assembly on 16.4.2008 that new vehicles will be provided for 385 Panchayat Union Chairpersons during 2008-09 and 385 Driver posts will be newly created for this purpose. Accordingly, 385 vehicles were purchased at a cost of Rs. 16.63 crores as per DGS & D rate and handed over to 385 Panchayat Union Chairpersons on 28.07.2008 by the Hon'ble Chief Minister. The Government also ordered for the creation of 385 Drivers for Panchayat Union Chairpersons' vehicles vide G.O.Ms.No.67, Rural Development and Panchayat Raj (E5) Department, dated 12.05.2008.

### **(iii) Making NREGS works mandatory for Village Panchayats**

As per the recommendation of the High Level committee, Section 46 the Tamil Nadu Panchayats Act, 1994 was amended vide Act No. 41 of 2008 making it mandatory for the President to execute or implement all schemes, programmes or activities as may be entrusted to Village Panchayats from time to time.

### **(iv) Panchayat Union School Renovation Programme**

During the year 2008-09, a sum of Rs.60 crores was allocated for this programme vide G.O. Ms. No.97, Rural Development and Panchayat Raj (SGS.1) Department, dated 06.06.2008. 4,430 Panchayat Union Elementary and Middle Schools have been taken up for renovation during 2008-09. Further, in G.O. Ms. No.139, Rural Development and Panchayat Raj (SGS.1) Department, dated 28.08.2008, the Government have ordered to undertake repair and renovation works in 467 Panchayat Union Elementary and Middle Schools with provision of new toilets, located in the areas of Town Panchayats and III Grade Municipalities at an estimated cost of Rs.14.31 crores.

### **(v) Social Welfare**

As per the recommendations of the High Level Committee, the Government in G.O.Ms. No.60, Social Welfare and Nutritious Meal Programme Department, dated 02.06.2008 have issued the following orders:

- 1) Government reiterated its instructions that the Village Panchayat Presidents may supervise the functioning of the Noon Meal Centres and ICDS schemes implemented in the villages.
- 2) The Village Panchayat Presidents will recommend the names of the beneficiaries under Moovalur Ramamirtham Ammaiya Ninaivu Marriage Assistance Scheme, Sivagami Ammaiya Memorial Girl Child Protection Scheme of the Social Welfare Department. The Social Welfare Department Officials will verify whether these persons fulfill their required eligibility criteria and send the names of the selected persons to the Grama Sabha for information.

- 3) For the names recommended by the Village Panchayats for the individual beneficiary oriented schemes such as Rehabilitation for the Disabled, approval should be given by Grama Sabha.
- 4) Village Panchayat Presidents should supervise and monitor the Physically Handicapped Pension scheme as to whether they are issued in time and as per guidelines and if there is any deficiency, it should take corrective action through the Village Panchayat Welfare Committee.
- 5) Panchayat Welfare Committee may function as a Monitoring Committee for the schemes implemented by the Social Welfare Department.

**(vi) Education**

- 1) The Government in G.O.Ms.No.88, School Education Department, dated 21.04.2008 reiterated its orders issued in G.O.Ms.No.268, School Education Department, dated 27.8.99 empowering the Village Panchayat Presidents and Panchayat Union Chairpersons to inspect adult education and non formal education centres.
- 2) The Government in G.O.Ms.No.90, School Education (S2) Department, dated 21.04.2008 reiterated the orders issued in G.O.Ms.No.248, School Education Department, dated 11.06.1997, empowering the Village Panchayat Presidents, Panchayat Union Chairpersons and the District Panchayat Chairpersons to supervise the provision of water supply, toilet facilities and repairs and send a report in this regard to Assistant Elementary Education Officer concerned. The Assistant Elementary Education Officer should take action on their report and give a report on the action taken by participating in the monthly Panchayat Union Council meetings. The District Elementary Education Officer should review the action taken by the Assistant District Elementary Education Officers and ensure that necessary follow up actions have been taken within one month.

**(vii) TNEB Issues**

In continuation of the earlier orders issued by Government based on the recommendations of the High Level Committee to streamline TNEB issues, in 2008-09, the Government issued G.O.Ms.No.55, Rural Development and Panchayat Raj Department, dated 01.04.2008, whereby, the remuneration payable to TNEB Linemen for replacing streetlights and streetlight materials was enhanced. For replacing of incandescent bulbs, remuneration was enhanced from Rs.0.50 to Rs.5, for changing

tube lights and sodium vapour lamps from Rs.2 to Rs.20 and for changing choke, starters and condensers to Rs.10.

### **(viii) Revenue**

The Government, vide G.O. Ms. No.231, Revenue Department (RA.3.2) Department, dated 29.4.2008 have issued the following orders on the recommendations of the High Level Committee.

- 1) The registration of Birth and Death will continue to be done by Village Administrative Officers. A copy of the Birth and Death certificate registered by the Village Administrative Officers will be given every month to the Panchayat Office along with regular updating. Village Administrative Officers and Village Panchayat Presidents will be empowered to issue birth and death certificates. Both the Village Administrative Officers and the Village Panchayat Presidents should share the information relating to the issue of birth and death certificates.
- 2) The Residence/ Domicile Certificate and BPL Certificate will also be issued by the Village Panchayat Presidents concerned. The Revenue Department and Rural Development and Panchayat Raj Departments will take efforts to harmonize the BPL list prepared by Rural Development and Panchayat Raj Department with the eligibility requirement for multifarious schemes of other departments also. Marriage certificate will continue to be issued by the Registration Department.
- 3) The list of Old Age Pensioners (OAP), Widow Pensioners, Physically Handicapped Pensioners, Deserted Women Pensioners, Destitute, Agricultural Labourer Pensioners etc. should be placed before the Grama Sabha and the Grama Sabha should verify whether any eligible names have been left out and ineligible names included. The recommendation of Grama Sabha in this regard should be duly acted upon based on eligibility criteria by the Revenue Department and the action taken in this regard should be informed to Grama Sabha.
- 4) List of beneficiaries for welfare schemes such as House site pattas, Two-acres Waste lands Distribution Scheme, Colour Television and Gas Stove Schemes etc., prepared by the Revenue department should also be communicated to the Village Panchayats every month and also should be placed before the Grama Sabha every quarter. The objections of the Grama Sabha if any should be duly enquired by the Revenue Department and the decisions in this regard should be communicated to the Grama Sabha.

- 5) Revenue Department should give the details of the vested-Poramboke lands along with FMB sketch to respective Panchayat officials in the Districts.
- 6) As and when any Committee is constituted by the Revenue Department, the representatives of Village Panchayats should be included in those Committees.





## **4. ACT AMENDMENTS**

## **4. ACT AMENDMENTS**

### **4.1 Amendments to Tamil Nadu Panchayats Act, 1994**

As many as 7 Act amendments were passed by the State Legislative Assembly during 2008-09. The Notifications issued in this regard are given in the Annexure.

#### **4.1.1 Annual Report on the functioning of Panchayats**

As already mentioned in Chapter-1, the Tamil Nadu Panchayats Act, 1994 through Act No.34 of 2008 was amended by omitting Sub-Section 2 of Section 165 and inserting a new Section 166-A, thereby dispensing the laying of the Annual Report of District Panchayats and instead laying an Annual Report on the functioning of the Panchayats in the State on the table of the Legislative Assembly, with effect from 18.6.2008.

#### **4.1.2 Disqualification of members of Panchayats**

In order to bring about similarities in the procedures relating to disqualification in respect of elected members of Panchayat Raj Institutions with that of provisions relating to disqualification of MPs / MLAs, as given under Representation of the People Act, 1951 and to remove the various existing anomalies, amendments have been issued to Sections 34, 35, 37, 38, 39 and 41 of the Tamil Nadu Panchayats Act, 1994 by Act No.39 of 2008 with effect from 18.6.2008. As per the amended provisions, the Government will decide the question of disqualification of members of Panchayats in consultation with the Tamil Nadu State Election Commission. Necessary provisions have also been made in the Tamil Nadu Panchayats Act, 1994 by inserting new sections 41-A, 41-B, 41-C and 41-D, enabling the Tamil Nadu State Election Commission to conduct enquiries regarding disqualification of members of the Panchayats.

#### **4.1.3 Local Cess and Local Cess Surcharge**

As per Section 167 of the Tamil Nadu Panchayats Act, 1994, Local Cess is levied at the rate of one rupee on every rupee of Land Revenue payable to Government. Similarly under Section 168 of the Act, every Panchayat Union Council may levy Local Cess Surcharge which shall not be less than five rupees and more than ten rupees on every rupee of Land Revenue.

The second State Finance Commission had recommended for the enhancement of the rate of Local Cess from one rupee to two rupees and the minimum amount of Local Cess Surcharge from five rupees to seven rupees. Accepting the said recommendation of the State Finance Commission, the State Legislature have amended

Sections 167 and 168 of the Tamil Nadu Panchayats Act, 1994 by Act No.40 of 2008 with effect from 18.6.2008.

However, the Government have announced during February, 2009 in the Budget Speech, that the system of Land Revenue collection will be simplified and the farmers will not be burdened with the levy of Local Cess and Local Cess Surcharge from the coming fasli year.

#### **4.1.4 Duty of the President to mandatorily implement schemes entrusted to the Village Panchayat**

Village Panchayats implement various Centrally Sponsored schemes and State funded schemes besides undertaking works out of General Funds. However, there was no specific provision in the Tamil Nadu Panchayats Act, 1994, to require the President of the Village Panchayat to mandatorily execute or implement the schemes entrusted to the Village Panchayats. Hence, necessary amendment to Section 46 of the Act has been issued making it mandatory for the Presidents of Village Panchayats to execute or implement the schemes entrusted to the Village Panchayats, by Act No.41, of 2008 with effect from 18.6.2008.

#### **4.1.5 Revision of Penalties**

Tamil Nadu Panchayats Act, 1994, contemplates imposition of penalties on the persons who contravene any of the provisions of the Act specified in Schedule-II or who fail to comply with any directions lawfully given to them or requisition lawfully made upon them. Schedule-III of the Act prescribes penalties for the continuing breaches. Since the penalty amount provided in the above Schedules were prescribed 50 years back and had lost the deterrent effect, amendments were issued to Schedule II and Schedule III enhancing the penalty amount leviable under the Tamil Nadu Panchayats Act, 1994, by Act No.42 of 2008 with effect from 18.6.2008. This amendment will enable the rural Local Bodies in strict enforcement of provisions of the Tamil Nadu Panchayats Act 1994.

#### **4.1.6 Empowering the District Collectors to levy and collect Advertisement Tax**

As per the earlier provisions of the Tamil Nadu Panchayats Act, 1994, and the Tamil Nadu Panchayats (Licensing of Hoardings and Levy and Collection of Advertisement Tax) Rules, 1999, the Executive authority of the Village Panchayat concerned (the Village Panchayat President) was empowered to grant license for erecting hoardings in the rural areas and to levy and collect tax on advertisements on such hoardings, whereas, the District Collector is the licensing authority in the urban area.

Further, the Village Panchayats were not able to strongly enforce and monitor the erection of hoardings as per the provisions of the Act.

In order to bring parity with Urban Act and to strengthen the licensing procedure and improve the monitoring of erection of hoardings in rural areas, the State Legislature have suitably amended Sections 172-A, 172-B and sub-sections (2), (3) and (5) of Section 220 of Tamil Nadu Panchayats Act, 1994 by empowering the District Collector to grant license for hoarding and levy of Advertisement tax by Act No.58 of 2008 with effect from 29.10.2008.

#### **4.1.7 Reconstitution of Appointment Committee of Panchayat Union**

The earlier system of conduct of annual elections to elect a member of Appointment Committee was not conducive for the smooth functioning of the Panchayat Union Administration. Hence in order to provide continuity to the Committee and avoid changing the composition every year with one new member, amendment has been issued through Act No.59 of 2008 to Section 96(1) (a) of Tamil Nadu Panchayats Act, 1994, by making the Vice-Chairman of the Panchayat Union as one of the members of the Appointment Committee with effect from 24.12.2008. Consequent to the amendment, the three members Appointment Committee will consist of the Chairman of the Panchayat Union Council, the Vice-Chairman of the Panchayat Union Council and the Commissioner of Panchayat Union.



## **5. RULE AMENDMENTS**

## **5. RULE AMENDMENTS**

### **5.1 Amendments to Tamil Nadu Panchayats Rules in 2008-09**

During 2008-09, necessary amendments have been issued to Tamil Nadu Panchayats (Preparation of Plans and Estimates for Works and Mode and Conditions of Contracts) Rules, 2007 and Tamil Nadu Panchayats Building Rules, 1997 and the details of these amendments are given below:

#### **5.1.1 Enhancement of Measurement powers of Overseers**

As per the original provisions under rule 5 of Tamil Nadu (Panchayats Preparation of Plans and Estimates for Works and Mode and Conditions of Contracts) Rules, 2007, Overseers can measure all works other than National Rural Employment Guarantee Scheme (NREGS) works costing upto Rs.50,000. For works costing more than Rs.50,000, Assistant Engineers (RD) were competent for measuring the works. The enhancement of unit cost of certain works like IAY new houses and taking up of large number of smaller works costing just over Rs.50,000 under Schemes like Rural Infrastructure Scheme, etc., caused administrative inconvenience and delays since Assistant Engineers (RD) alone were competent to measure these type of works. Hence, Tamil Nadu Panchayats (Preparation of Plans and Estimates for Works and Mode and Conditions of Contracts) Rules, 2007 were suitably amended and notification issued by the Government vide G.O.(Ms) No.132, Rural Development & Panchayat Raj (CGS.3) Department, dated 04.8.2008, enhancing the measurement powers of Overseers to Rs.1 lakh for all works other than National Rural Employment Guarantee Scheme (NREGS) works.

#### **5.1.2 Exemptions under the Building Rules**

In order to bring about parity between Tamil Nadu Panchayats Building Rules, 1997 and Urban Rules in grant of exemptions for certain buildings belonging to the Central and State Governments, necessary amendment have been issued to the Tamil Nadu Panchayats Building Rules, 1997. Exemption from the purview of Tamil Nadu Panchayats Building Rules, 1997 has been incorporated in select cases, such as the buildings which are the property of the State or Central Governments or constructed in pursuance of any statutory provisions.





**6. IMPORTANT GOVERNMENT ORDERS  
ISSUED IN 2008-09**

## **6. IMPORTANT GOVERNMENT ORDERS ISSUED IN 2008-09**

Important Government Orders pertaining to the functioning of Panchayat Raj Institutions issued during 2008-09 are described as under:

### **6.1 Appointment of Special Officer for the newly formed Village Panchayats in Cuddalore District**

Two newly constituted Village Panchayats, namely Perumathur and Indira Nagar of Kurinjipadi Panchayat Union were notified by the Collector of Cuddalore District on 16<sup>th</sup> August, 2008. Based on the proposal of Collector, Cuddalore, the Government, vide G.O.(1D) No. 637, Rural Development & Panchayat Raj (PR-2) Department dated 25.08.2008 issued orders appointing the Block Development Officer (Village Panchayats), Kurinjipadi Panchayat Union, as the Special Officer for the newly constituted Village Panchayats.

### **6.2 Abolition of Jamabandhi**

The Annual Settlement of Panchayat Accounts was introduced in 1992 at a time when there were no elected Local Bodies and the Panchayat Administration was managed by the Special Officers. However, consequent to the Constitution (73<sup>rd</sup> Amendment) Act, 1992 and the enactment of Tamil Nadu Panchayats Act, 1994, elected representatives assumed office in the rural Local Bodies in the year 1996 and the elected Local Bodies have an inbuilt system of checks and balances on the expenditure of the Local Body funds. Further, the system of Audit of Village Panchayat Accounts has also been introduced and Deputy Block Development Officers have been designated as the Audit Officers. The post of Assistant Director (Audit) has already been created for monitoring the progress of audit and the settlement of audit objections. Grama Sabha has also been strongly propagated as a forum of Social Audit of Village Panchayat accounts. In view of the above, it was viewed that the Annual Settlement of Panchayat Accounts by the Jamabandhi Officers did not contribute any value addition for the betterment of Panchayat Administration and that Jamabandhi had merely degenerated into a ritual. Thus, the Government issued orders vide G.O.Ms.No.175 Rural Development & Panchayat Raj (PR2) Department, dated 14.11.2008 dispensing the Annual Settlement of Panchayat Accounts.

### **6.3 Minimum State Finance Commission Grant to Panchayat Unions**

The Hon'ble Deputy Chief Minister on 16.4.2008, announced on the floor of the Assembly that a minimum grant of Rs.30 lakhs will be provided to each Panchayat Union as a measure of equalization and the balance amount shall be distributed based on population, out of the funds allotted to the Panchayat Unions.

The Government vide G.O.Ms. No.95, Rural Development and Panchayat Raj (PR-1) Department, dated 06.06.2008 have sanctioned a minimum grant of Rs.30 lakhs at the rate of Rs.2.50 lakhs per month to each Panchayat Union in 12 monthly instalments as a measure of equalization and the balance amount shall be distributed on the basis of 2001 population out of the funds allotted to the Panchayat Unions.

#### **6.4 Rationalization of Village Panchayat Accounts**

The Government in Rural Development and Panchayat Raj Department (C4) in G.O.Ms.No.146 dated 17.08.07 issued orders rationalizing the Village Panchayat Accounts. As per the rationalization, each Village Panchayat should maintain 4 separate accounts, viz. Village Panchayat Fund Account, Village Panchayat payment to TNEB / TWAD Board Account, Village Panchayat Scheme Fund Account and Village Panchayat NREGS Account.

It was brought to the notice of the Government that many of the Village Panchayats have accumulated huge amounts in the Account No.2, i.e., Village Panchayats Payments to TNEB and/ or TWAD Board Account. This was due to lesser TNEB and TWAD Board demand of these Village Panchayats as compared to Rs.25,000 per month released to Account No.2 as Minimum Grant and the Twelfth Finance Commission Grant which is also being released to this account in two instalments in a year. Hence, a detailed analysis was made in respect of each of the 12,618 Village Panchayats individually, by taking into account the actual TNEB and TWAD Board demand for a 10 month period from 1.1.2008 to 31.10.2008. Based on this, and after deducting the Twelfth Finance Commission Grant, the average monthly demand of each Village Panchayat was arrived at.

Thus, to enable the Commissioner of Rural Development & Panchayat Raj to release only the actual requirement of SFC minimum grant that needs to be credited to Account No.2 for the Village Panchayats to meet the monthly TNEB and TWAD Board demand, necessary amendment has been issued to G.O. Ms.No.146 Rural Development and Panchayat Raj Department dated 17.8.2007 vide G.O.Ms.No.178 Rural Development and Panchayat Raj Department dated 25.11.2008. Another amendment was issued vide G.O. Ms.No.180 Rural Development and Panchayat Raj Department dated 1.12.2008 to enable Village Panchayat to send surplus amount in Account No.2 by issuing cheques in favour of the District Collector. Thereafter, the Collector released this surplus amount to Account No.1 and Account No.3 of the Village Panchayat concerned, so that they utilise this amount for the purposes other than TNEB and TWAD Board charges.

## **6.5 Twelfth Finance Commission Grant**

During 2008-09, an amount of Rs.87 crores has been sanctioned by the Government as first instalment in G.O. Ms.No.106, Rural Development and Panchayat Raj (PR.1) Department, dated 19.06.2008 and sanctioned Rs.87 crores as second instalment in G.O. Ms.No.162, Rural Development and Panchayat Raj (PR.1) Department, dated 13.10.2008. All the sanctioned amount has been released to the Village Panchayats.

## **6.6 Pooling of Assigned Revenues at State level and apportionment to rural Local Bodies**

During the year 2008-09, an amount of Rs.541.77 crores was sanctioned under Pooled Assigned Revenue in G.O. Ms.No.157, Rural Development and Panchayat Raj (PR.1) Department, dated 23.09.2008. Rs.361.18 crores was released to the Village Panchayats, Panchayat Unions and District Panchayats as two-third grant in the ratio of 60 : 32 : 8. An amount of Rs.180.59 crores was earmarked for Priority Scheme Component. This fund was earmarked to be utilized for executing works to create basic infrastructure in rural areas and detailed guidelines were formulated for utilization of these funds.

## **6.7 Wireless for Panchayat Unions**

The Government vide G.O.Ms.No.134, Rural Development and Panchayat Raj (SGS.4) Department, dated 02.08.07 issued orders for the establishment of wireless communication network in 24 Districts at a cost of Rs.3.76 crores. In G.O.Ms. No.177, Rural Development and Panchayat Raj (SGS.I) Department, dated 21.11.2008, the Government have ordered to extend the wireless provision for the remaining 6 districts at an estimated cost of Rs.116.55 lakhs. The wireless communication systems are being used at Block level and District level for monitoring various development scheme works.

## **6.8 Construction of new office buildings for Panchayat Unions**

Based on the proposals received from the District Collectors, 54 new office buildings for Panchayat Unions have been sanctioned by the Committee empowered in G.O.Ms. No.191 Rural Development & Panchayat Raj (C4) Department, dated 22.11.2007 to accord approval and to incur expenditure under the Scheme Component of Pooled Assigned Revenue. Rs.81 crores have been released for this purpose.

## **6.9 Panchayat Union School Renovation Programme**

During the year 2008-09, a sum of Rs.60 crores was allocated for Panchayat Union School Renovation Programme vide G.O. Ms. No.97, Rural Development and

Panchayat Raj (SGS.1) Department, dated 06.06.2008. 4,430 Panchayat Union Elementary and Middle Schools have been taken up for renovation during 2008-09.

Further, as mentioned in Chapter 3, in G.O. Ms. No.139, Rural Development and Panchayat Raj (SGS.1) Department, dated 28.08.2008, the Government have ordered to undertake repair and renovation works in 467 Panchayat Union Elementary and Middle Schools with provision of new toilets, located in the areas of Town Panchayats and III Grade Municipalities at an estimated cost of Rs.14.31 crores.

### **6.10 Rural Infrastructure Scheme**

Since the National Rural Employment Guarantee Scheme has been extended to all the districts from 1.4.2008 onwards, the Central Government has discontinued the Sampoorna Grameen Rozgar Yojana (SGRY). Consequent to this, there was no proper scheme to create basic infrastructure facilities like Cement Concrete Roads and Buildings. Further, it had become essential to make the assets created under National Rural employment Guarantee Scheme durable by stabilizing them. Taking into consideration the representations received in this regard, a new Scheme called 'Rural Infrastructure Scheme' was introduced during 2008-09 with an allocation of Rs.350 crores for the year 2008-09. Funds under this Scheme were allocated at the rate of Rs.200 crores for Village Panchayats, Rs.100 crores for Panchayat Unions and Rs.50 crores for District Panchayats. Rs.350 crores have been released to the rural Local Bodies in the year 2008-09. Detailed guidelines for the implementation of the Scheme was issued by the Government vide G.O. Ms. No.111 Rural Development & Panchayat Raj Department, dated 27.6.2008. Under the Scheme, 33,556 works were taken up during 2008-09.

### **6.11 Annual allocation of Rs.3 crores for Training Corpus Fund**

For imparting systematic training to the representatives of Panchayat Raj, the Government vide G.O.Ms.No.436, Rural Development and Panchayat Raj (PR.3) Department, dated 27.06.08 issued orders allocating Rs.3 crores for the year 2008-09, towards Training Corpus Fund, from the State Finance Commission Grant of the Village Panchayats, Panchayat Union and District Panchayats in the ratio of 60:32:8, respectively.

### **6.12 Backward Region Grants Fund (BRGF)**

The erstwhile Rashtriya Sam Vikas Yojana (RSVY) has been transferred from Union Planning Commission to Ministry of Panchayat Raj at Government of India level with effect from 2006-07. The Ministry of Panchayat Raj have modified the Scheme of RSVY as Backward Regions Grant Fund (BRGF) and the main focus of the Scheme is to strengthen and provide professional support to the Local Bodies to improve their

performance and delivery of critical functions assigned to them besides redressing regional imbalances in development. This Scheme is being implemented in six districts in Tamil Nadu viz., Cuddalore, Villupuram, Tiruvannamalai, Nagapattinam, Dindigul and Sivagangai.

The BRGF Scheme consists of two funding windows viz., the 'Capacity Building Fund' and 'Development Grant'. The Government, in G.O. Ms.No. 161 Rural Development & Panchayat Raj (CGS-1) Department, dated 13.10.2008 have released a sum of Rs.16.32 crores to State Institute of Rural Development, Maraimalai Nagar as Central assistance for Capacity Building of Local Bodies under BRGF.

The Government of India have sanctioned Rs.108.04 crores as Development Grant under BRGF to 6 districts for 2007-08 as detailed in Table-6.1 below:

**Table-6.1**  
**Funds sanctioned under BRGF for 2007-08**

Sl. No.	Name of the District	Amount (Rs.in crores)
1.	Cuddalore	17.76
2.	Villupuram	21.73
3.	Tiruvannamalai	19.27
4.	Dindigul	18.70
5.	Nagapattinam	15.06
6.	Sivagangai	15.52

### **6.13 Guidelines for dismantling of old Buildings under the control of Village Panchayats and Panchayat Unions**

Village Panchayats and Panchayat Unions are maintaining various kinds of buildings such as School Buildings, Kitchen sheds, Library Buildings, Sanitary Complexes, Panchayat Union Offices, Village Panchayat Offices, Over Head Tanks etc. With the passage of time and due to various circumstances, certain buildings become dilapidated and need to be dismantled for safety considerations. In such cases, there were no specific guidelines and clear delegation of powers, for issuing orders for dismantling the dilapidated buildings of Rural Development and Panchayat Raj Department. Hence, the Government vide G.O. Ms. No.56, Rural Development & Panchayat Raj (SGS-IV) Department, dated 3.4.2008 have issued detailed guidelines

to be followed for dismantling of old buildings under the control of Village Panchayats and Panchayat Unions.

#### **6.14 Roads**

##### **i) Upgradation of Panchayat/Panchayat Union Roads in 2007-08 AGAMT villages under NABARD-RIDF**

The Government have, vide G.O.Ms.No.105, Rural Development and Panchayat Raj (SGS.1) Department, dated 19.06.2008 accorded sanction for Rs.414.58 crores to upgrade 2,692 K.M. Panchayat/Panchayat Union Roads to the length of 2,692 K.M. which are in bad condition, lead directly or indirectly to or which are in the vicinity of Anaithu Grama Anna Marumalarchi Thittam Villages taken up during 2007-08 and also link roads which are important for industries, tourism and from marketing point of view to such villages with loan assistance from NABARD under Rural Infrastructure Development Fund XIII.

##### **ii) Maintenance of Panchayat and Panchayat Union Roads under Twelfth Finance Commission Grant for the year 2008-09**

The Government, in G.O.Ms. No.195, Highways (HF1) Department, dated 01.08.2008 have sanctioned Rs.103.60 crores for improvement of Panchayat and Panchayat Union roads upto B.T. 1,500 Kms of roads have been improved by utilizing the above amount during the year 2008-09.

##### **iii) Procedure to give temporary NOC to Rural Roads wing of Highways Department for taking up the major bridges across Panchayat Union or Village Panchayat Roads.**

The Government have laid down the procedures that have to be followed for giving temporary 'No Objection Certificate' (NOC) to Rural Roads Wing of Highways Department for taking up the Bridge works across Panchayat Union and Village Panchayat Roads vide G.O.(2D)No.7, Rural Development and Panchayat Raj (SGS.2) Department, dated 19.02.2009. It has also been ordered for constitution of a Committee under the Chairmanship of Principal Secretary to Government, Rural Development and Panchayat Raj Department to give NOC to Rural Roads wing of Highways Department for taking up such major bridge works on a case by case basis.

The proposal for taking up major bridge works across Panchayat Union or Village Panchayat Roads should be initiated by the Chief Engineer (NABARD & Rural Roads) of Highways Department based on the representations received from the public/elected representatives and forwarded to the Commissioner of Rural Development and Panchayat Raj. Only if a thorough analysis of the representation has been done and a



full-fledged proposal, with all technical details have been prepared and there are credible funding sources, the Commissioner of Rural Development and Panchayat Raj will take it up for further processing. Obtaining prior temporary NOC from the Committee headed by the Principal Secretary to Government, Rural Development and Panchayat Raj Department is a must for Highways Department to propose a bridge work to the funding source concerned and in no case should a proposal be sent to the funding agency by the Highways Department without prior NOC.

The NOC given by the Committee shall be valid only for a period of 24 months from the date of issue. It will automatically lapse at the end of this 24-month period. However, if the Highways Department wants extension of the period of NOC, the Chief Engineer (NABARD & Rural Roads) should make a request for the same with appropriate justification, the Committee will consider grant of extension for a further period of 12 months based on the merits of the request. But no further extension of the period of NOC will be considered.

#### **6.15 Establishment**

##### **i) Upgradation of the post of Extension Officers to Deputy Block Development Officers**

In tune with the announcement of the Hon'ble Deputy Chief Minister before the Assembly on 16.4.2008, all the 2,544 posts of Extension Officer in the Department have been upgraded to the level of Deputy Block Development Officer as per G.O. Ms. No.138 Rural Development & Panchayat Raj Department, dated 28.8.2008.

##### **ii) Absorption of Makkal Nala Paniyalargal in the vacancies arising in the post of Office Assistant, Night Watchman and equivalent posts**

Hon'ble Deputy Chief Minister has announced before the Assembly on 16.04.2008 that the eligible Makkal Nala Paniyalargal will be absorbed in 50% of vacancies arising in the posts of Office Assistant, Night Watchman and equivalent posts. Accordingly, orders have been issued in G.O.Ms. No. 179 Rural Development and Panchayat Raj Department, dated 27.11.2008. Action is being taken by the District Collectors in this regard and 157 Office Assistants and 16 Night Watchman posts have been filled up with Makkal Nala Paniyalargal till March, 2009.

##### **iii) Creation of new Driver posts for the vehicles of Panchayat Union Chairpersons**

The Government have sanctioned 385 posts of Drivers for the vehicles of Panchayat Union Chairpersons vide G.O. No. 67 Rural Development and Panchayat Raj (E5) Department, dated 12.05.2008.

#### **iv) Enhancement of Adhoc Bonus to Village Panchayat staff**

The Government have issued orders enhancing adhoc bonus for the year 2007-08, from Rs.300/- to Rs 1,000/- to OHT / Power Pump Operators, Sanitary Workers and Makkal Nala Paniyalargal working in the Village Panchayats vide G.O. No. 2(2D) Rural Development and Panchayat Raj Department, dated 12.01.2009.

#### **v) Vehicles for the Officers of RD & PR Department**

During the year 2008-09, 423 new Mahindra Bolero vehicles in lieu of condemned vehicles were purchased as per DGS & D rate and given to 3 Executive Engineers (RD), 3 Assistant Executive Engineers (RD), 198 Block Development Officers (Village Panchayats) and 219 Block Development Officers (Block Panchayats) at a cost of Rs.20.19 crores. Apart from this, 33 new vehicles were purchased and given to the Executive Engineer (RD), Cuddalore and 32 Assistant Executive Engineers (RD) of newly formed sub-divisions, at a cost of Rs.1.58 crores.

#### **vi) New Office building for State Election Commission**

The Government vide G.O.Ms. No.76, Rural Development and Panchayat Raj (C4) Department, dated 28.5.2007 and G.O.Ms. No.147, Rural Development and Panchayat Raj (PR.1) Department, dated 09.09.2008 sanctioned Rs. 2.13 crores for the new Office building for the State Election Commission. The construction of the Commission's office building has been completed in March, 2009.

### **6.16 Awards**

#### **i) Uthamar Gandhi Panchayat Award for 15 best performing Village Panchayats**

Uthamar Gandhi Panchayat Award was instituted vide G.O.Ms No. 111, Rural Development and Panchayat Raj (C2) Department, dated 5.9.2006. This award is being given each year from 2006-07 onwards for those Village Panchayats which have undertaken outstanding works, special initiatives and innovative efforts during the preceding 5 years. The chosen Panchayats are given a certificate, shield and a cash prize of Rs.5 lakhs each while their Presidents are given a certificate and a medal. Awards can also be given posthumously. For 2006-07, 15 Village Panchayats were conferred with Uthamar Gandhi Panchayat Award by the Hon'ble Chief Minister of Tamil Nadu on 10.10.2007. For 2007-08, 84 proposals were received from the District Collectors, out of which 43 were shortlisted for field verification by the Committee constituted for this purpose. The above shortlisted Village Panchayats were inspected by three teams of senior officers and the 15 meritorious Village Panchayats were conferred with Uthamar Gandhi Panchayat Award by the Hon'ble Chief Minister of Tamil Nadu on 19.12.2008.

**Table-6.2**  
**Uthamar Gandhi Panchayat Award 2007-08**

Sl. No.	District	Panchayat Union	Village Panchayat
1.	Tirunelveli	Keelappavur	Keelavellakkal
2.	Virudhunagar	Sattur	Pethureddiyapatti
3.	Ramanathapuram	Mandapam	Thamaraikulam
4.	Nagapattinam	Keelaiyur	Vizhunthamavadi
5.	Tiruvarur	Kottur	Pallivarthi
6.	Tirunelveli	Radhapuram	Idaiyankudi
7.	Thanjavur	Thiruvudaimaruthur	Seenivasanallur
8.	Ramanathapuram	Mudukulathur	Thiruvarangam
9.	Karur	Aravakurichi	Esanatham
10.	The Nilgiris	Udhagamandalam	Thummanatti
11.	Theni	Uthamapalayam	Ramasamynaickenpatti
12.	Namakkal	Namakkal	Mudalaipatti
13.	Dindigul	Dindigul	M.M.Kovilur
14.	Erode	Bhavani	Mylambadi
15.	Sivagangai	Kalaiyarkoil	Kattenthal Sukkanoorani

For the year 2008-09, an amount of Rs.75 lakhs was earmarked for giving this award.

**ii) Award for Tamil Nadu for empowering Panchayat Raj Institutions**

Tamil Nadu was ranked third at All India Level, for the year 2008-09 under Panchayat Empowerment and Accountability Incentive Scheme (PEAIS), by the Ministry of Panchayati Raj, Government of India, for empowering the Panchayat Raj institutions. This entitles our State to a cash award of Rs 1.50 crore.

### iii) Nirmal Gram Puraskars

To give a fillip to the Total Sanitation Campaign, the Government of India launched an incentive scheme in June, 2003 in the form of an award for total sanitation coverage, maintenance of clean environment and open defecation-free Village Panchayats, Blocks and Districts called 'Nirmal Gram Puraskar'. The Village Panchayats are given a cash incentive ranging from Rs.0.5 lakhs to Rs. 5 lakhs depending upon the population of the Village Panchayats concerned. The year-wise break-up of 'Nirmal Gram Puraskar Awards' won by the Village Panchayats and Block Panchayats are furnished below:

**Table-6.3**

**Year-wise break-up of Nirmal Gram Puraskar Awards won by Tamil Nadu**

Year	No. of Village Panchayats	No. of Block Panchayats
2004-05	12	1
2005-06	119	-
2006-07	296	-
2007-08	1,474	5

Tamil Nadu stands second among all the States in winning highest number of Nirmal Gram Puraskar Awards during the year 2007-08.

#### **6.17 Action taken against the Village Panchayat Presidents under Section 205 of the Tamil Nadu Panchayats Act, 1994.**

Village Panchayat President is the elected head and also the Executive Authority of the Village Panchayat. He has been given powers to operate the funds of Village Panchayat with cheque drawing powers and execute the Schemes of Panchayat. Since it involves many financial transactions, the District Collector as Inspector of Panchayats has been empowered to take action against the Presidents of Village Panchayats who have committed irregularities in the administration of Panchayat or are involved in the misappropriation of funds under Section 205 of the Tamil Nadu Panchayats Act, 1994.

During the year 2008-09, 46 Village Panchayat Presidents were removed from the office of President under Section 205 of the Tamil Nadu Panchayats Act, 1994, by the Inspectors of Panchayats concerned. The details are given below in Table-6.4.

**Table-6.4**

**List of Village Panchayat Presidents removed under Section 205 of the Tamil Nadu Panchayats Act 1994 from April 2008 – March 2009**

<b>Sl. No</b>	<b>Name of the District</b>	<b>Name of the Panchayat Union</b>	<b>Name of the Village Panchayat</b>
1.	Kancheepuram	Thomas Malai	Kottivakkam
2.	Thiruvallur	Sholavaram	Kummanoor
3.	Thiruvallur	Kadambathur	Piryankuppam
4.	Thiruvallur	Sholavaram	Sothuperumbedu
5.	Thiruvallur	Minjur	Light House Kuppam
6.	Thiruvallur	Kadambathur	Kottaiyur
7.	Villupuram	Sankarapuram	Moorarpalayam
8.	Villupuram	Gingee	Melarungunam
9.	Villupuram	Marakkanam	Kandhadu
10.	Villupuram	Chinnasalem	Karunthakurichi
11.	Villupuram	Olakkur	Kilpudheri
12.	Villupuram	Kanai	Kanjanur
13.	Villupuram	Gingee	Thatchampattu
14.	Villupuram	Mugaiyur	Paranur
15.	Villupuram	Mugaiyur	Ayandhur
16.	Villupuram	Vanur	Iveli
17.	Villupuram	Gingee	Palapattu
18.	Dharmapuri	Pappireddipatti	Manjavadi
19.	Coimbatore	Annur	Kattampatti
20.	Thanjavur	Thanjavur	Ramanathapuram
21.	Thanjavur	Papanasam	Sathyamangalam
22.	Thanjavur	Madukkur	Kasangadu

<b>Sl. No</b>	<b>Name of District</b>	<b>Name of the Block</b>	<b>Name of the Village Panchayat</b>
23.	Thanjavur	Sethubavachatram	Kuruvikarambai
24.	Thanjavur	Sethubavachatram	Alagiyamayagipuram
25.	Thanjavur	Orathanadu	Poiyundarkottai
26.	Thanjavur	Orathanadu	Kannanthankudi (West)
27.	Karur	Thanthoni	Jegathabi
28.	Perambalur	Veppanthattai	Pimbalur
29.	Ariyalur	Thirumanur	Keelapalur
30.	Ariyalur	T. Palur	Ambapur
31.	Theni	Bodinaickanur	Manjinayakanpatti
32.	Dindigul	Kodaikanal	Poolathur
33.	Ramanathapuram	Kamuthi	Udaiyananthapuram
34.	Ramanathapuram	Kamuthi	Perunali
35.	Sivagangai	Sivagangai	Alagamaneri
36.	Sivagangai	Sivagangai	Thirumalai Koneripatti
37.	Sivagangai	Manamadurai	Thanjakur
38.	Sivagangai	Manamadurai	Rajakambeeram
39.	Sivagangai	Thirupuvanam	Sottathatti
40.	Sivagangai	Thirupuvanam	Kurunthampattu
41.	Tirunelveli	Keelapavoor	Kulasekarapatty
42.	Tirunelveli	Radhapuram	Koodankulam
43.	Thoothukudi	Kovilpatti	Manthithoppu
44.	Thoothukudi	Kayathar	Usilankulam
45.	Thoothukudi	Karungulam	Manakarai
46.	Thoothukudi	Alwarthirunagari	Mookuperi

Out of the 48 Village Panchayat Presidents who have been removed from office by the Inspector of Panchayats, 13 Presidents are still continuing in their posts by virtue of the stay order granted by the Hon'ble High Court. 28 Village Panchayat Presidents have filed revision petition to the Government under Section 205(12) of the Tamil Nadu Panchayats Act, 1994.

The stages in the disposal of the above revision petitions with the Government are given below:

i. Final orders issued by the Government	-	6
ii. Remitted back to the Inspector of Panchayats for de-nova proceedings	-	1
iii. Revision Petitions withdrawn by the Petitioners	-	2
iv. Writ Petitions filed before the Hon'le High Court	-	5
v. Revision Petitions under scrutiny	-	14
<b>Total</b>		<b><u>28</u></b>





## **7. FINANCES OF THE PANCHAYATS**

## 7. FINANCES OF THE PANCHAYATS

### 7.1 State Finance Commission Grant

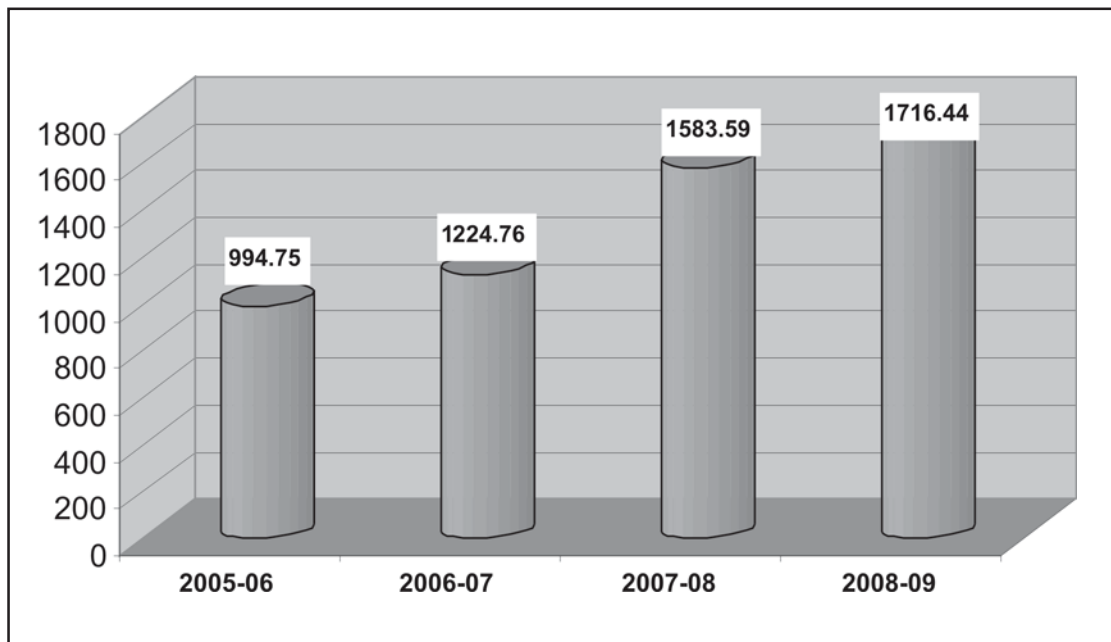
Article 243(I) and 243(Y) of the Constitution of India incorporated by the 73<sup>rd</sup> and 74<sup>th</sup> Amendment Acts provides for the constitution of a State Finance Commission in order to examine and recommend measures to augment the resources of the Local Bodies and financial devolution to the Local Bodies by the State Government. Three State Finance Commissions have been constituted so far in Tamil Nadu. The Third State Finance Commission was constituted on 2.12.2004, for the award period of 2007- 08 to 2011-12.

#### 7.1.1 State Finance Commission Grant 2008-09

During the year 2008-09, the Government released an amount of Rs.1,029.86 crores to the Village Panchayats, Rs.549.26 crores to the Panchayat Unions and Rs.137.32 crores to the District Panchayats, totalling a release of Rs.1,716.44 crores.

**Chart-7.1**

**Release of State Finance Commission Grants to rural Local Bodies**

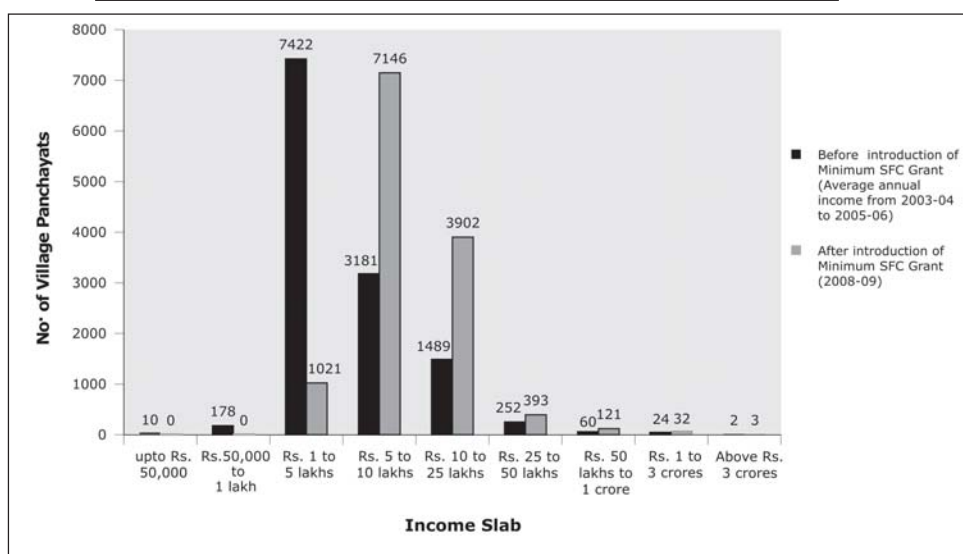


## 7.1.2 Minimum State Finance Commission Grant for Village Panchayats and Panchayats Unions

The Government have issued orders vide G.O.Ms.No.95, Rural Development and Panchayat Raj (PR.1) Department, dated 06.06.2008 sanctioning Rs.3 Lakhs as minimum grant for each Village Panchayat as a measure of equalization for the year 2008-09, as was done in the year 2007-08. Similarly, a minimum grant of Rs.30 lakhs per annum to each Panchayat Union has been released for the year 2008-09, as a measure of equalization. The balance amount was released based on population.

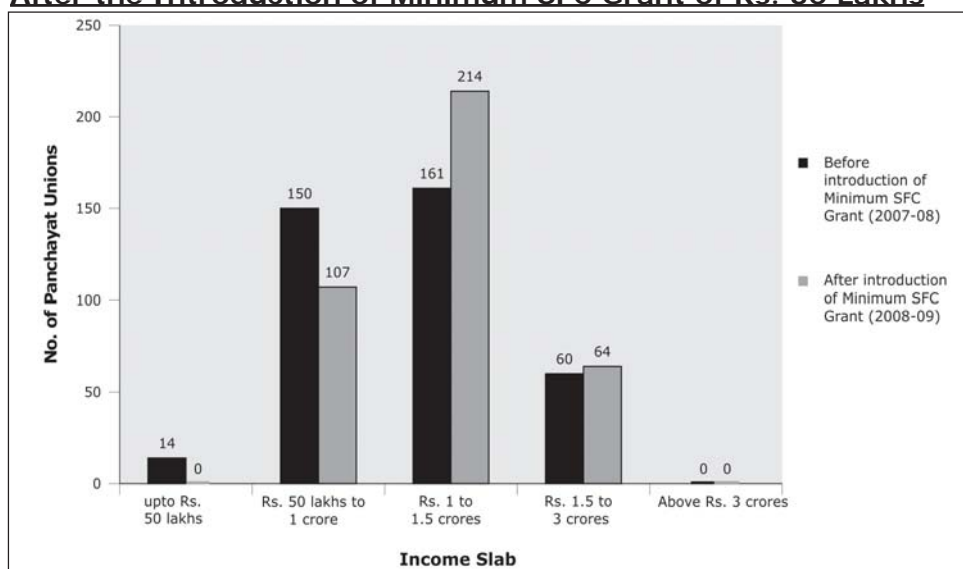
**Chart-7.2**

### **Classification of Village Panchayats by Income Before and After the Introduction of Minimum SFC Grant of Rs.3 Lakhs**



**Chart-7.3**

### **Classification of Panchayat Unions by Income Before and After the Introduction of Minimum SFC Grant of Rs. 30 Lakhs**



### **7.1.3 Streamlining of the modalities of release of State Finance Commission Grant**

The State Finance Commission Grant is released from the Directorate of Rural Development and Panchayat Raj to the District Collectors electronically through the Core Banking System (CBS). The District Collectors, in turn, had been sending the funds to the Village Panchayats by adopting various methods of electronic transfer like Core Banking System (from one branch to other branches of the same Bank), Real Time Gross Settlement (RTGS) (from a branch of one Bank to branches of other Banks), etc., wherever such facilities are available (i.e. wherever the branches have what are called IFS codes) and through Demand Drafts/Advice to the Bank branches which did not have the IFS codes. There was lack of uniformity in the procedure and a lot of delays in the adjustment of funds in this process. In order to overcome the above drawbacks, a uniform procedure of transferring the funds through 4 Nodal Banks in each of the Districts to the bank accounts of the Village Panchayats has been prescribed with effect from December, 2008. This procedure has significantly speeded up the adjustments of Grants to the accounts of rural Local Bodies.

### **7.2 Central Finance Commission Grant**

On the basis of the recommendations of the Twelfth Finance Commission (TFC), the Government of India allotted a sum of Rs. 870 crores for the period from 2005-06 to 2009-10.

During the year 2008-09, an amount of Rs.87 crores has been released as first instalment vide G.O.Ms.No.106, Rural Development and Panchayat Raj (PR.1) Department, dated 19.6.2008 and an amount of Rs. 87 crores has been released as second instalment vide G.O.Ms.No.162, Rural Development and Panchayat Raj (PR.1) Department, dated 13.10.2008 to the Village Panchayats.

Further, the Government, in G.O.Ms. No.195, Highways (HF1) Department, dated 01.08.2008 have sanctioned Rs.103.60 crores under Twelfth Finance Commission Grant for improvement of Panchayat and Panchayat Union roads during the year 2008-09.

### **7.3 Assigned Revenues**

The Assigned Revenues to the rural Local Bodies include Local Cess, Local Cess Surcharge, Surcharge on Stamp Duty, Entertainment Tax, Lease amounts and Seigniorage fees on Mines and Minerals and proceeds from Social Forestry auctions. Local Cess and Local Cess Surcharge are levied by rural Local Bodies and collected by Revenue Department. The Surcharge on Stamp Duty is collected by Registration Department and Entertainment Tax by Commercial Tax Department.

However, as already mentioned in 4.1.3, the Government have announced during February, 2009 in the Budget Speech that the system of Land Revenue collection

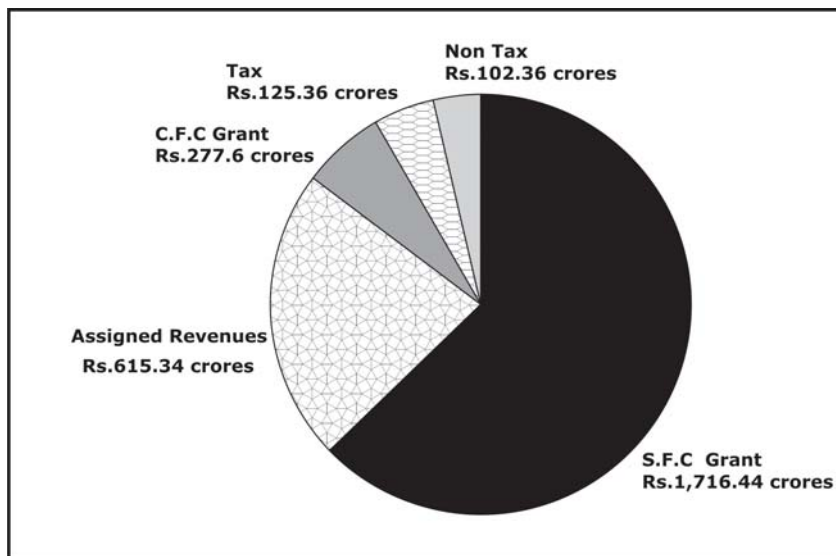
will be simplified and the farmers will not be burdened with the levy of Local Cess and Local Cess Surcharge from the coming fasli year.

### 7.3.1 Pooling of Assigned Revenue at State level

The Assigned Revenues were earlier released to the rural Local Bodies through the District Collectors concerned. During 2007-08, the Government issued orders by which the Assigned Revenues (other than lease amounts and seignorage fees on mines and minerals and proceeds from social forestry auctions) are pooled at the State level and apportioned to three tiers of rural Local Bodies. This has ensured quicker and more equitable distribution of financial resources among the rural Local Bodies.

The Government allocated Rs.541.77 Crores as Pooled Assigned Revenue for the year 2008-09 vide G.O.Ms.No.157, Rural Development and Panchayat Raj (PR.I) Department, dated 23.09.2008. Out of this amount, Rs. 361.18 crores had been released on population basis to all the Village Panchayats, Panchayat Unions and District Panchayats in the ratio of 60: 32:8. The balance amount of Rs.180.59 crores has been released to the Districts for Priority Schemes.

**Chart - 7.4**  
**Total Income of All Three Tiers of Panchayats (2008-09)**



### 7.3.2 Compensation for exemption given for Tamil films with Tamil title from Entertainment Tax.

Government have issued orders sanctioning Rs.3 crores as a measure of compensation, for the loss to the rural Local Bodies due to exemption given to the Tamil films with Tamil titles from Entertainment Tax, vide G.O.Ms.No.31,Rural Development and Panchayat Raj (PR.I) Department, dated 31.03. 2009. This amount will be utilized for taking up special and innovative works in rural areas.

## **8. CAPACITY BUILDING**

## **8. CAPACITY BUILDING**

### **8.1 Role of SIRD and RIRDs in Capacity Building**

Training programmes are conducted by the State Institute of Rural Development, Maraimalai Nagar and the five Regional Institutes of Rural Development to the elected representatives of the rural Local Bodies and Officers and Staff of the Rural Development and Panchayat Raj Department on various aspects. While the SIRD is functioning at Maraimalai Nagar as the apex training institute, the five Regional Institutes of Rural Development are functioning at S.V.Nagaram, Krishnagiri, Pattukottai, T.Kallupatti and Bhavanisagar and cater to the training needs of the districts earmarked to them.

### **8.2 State Institute of Rural Development (SIRD)**

#### **8.2.1 Training performance of SIRD 2008-09**

In the year 2008-09, 204 batches of training were conducted covering 10,588 participants which include the elected representatives of rural Local Bodies, Joint Directors, Assistant Directors, Assistant Project Officers, Assistant Executive Engineers, Project Economists, Block Development Officers, Ministerial staff, members of Self Help Groups, N.G.Os and Panchayat Assistants.

#### **8.2.2 Capacity Building under Backward Regions Grant Fund (BRGF)**

The Government, in G.O. Ms.No. 161 RD & PR (CGS-1) Department, dated 13.10.2008 have released a sum of Rs.16.32 crores to State Institute of Rural Development, Maraimalai Nagar as Central assistance for Capacity Building of Local Bodies under BRGF.

### **8.3 Regional Institutes of Rural Development (RIRDs)**

#### **8.3.1 Training performance of RIRDs in 2008-09**

During the year 2008-09, RIRDs have conducted the Regular Training Programmes for Extension Officer (Panchayats), Other Extension Officers, Deputy Block Development Officers, Assistants, Rural Welfare Officers, Junior Assistants, Typists, Cashiers, Panchayat Assistants, Road Inspectors and Overseers and computer training for the Deputy Block Development Officers, Extension Officers, Assistants, Junior Assistants, Rural Welfare Officers, Typists and Cashiers. Refresher courses for Deputy Block Development Officers, Engineers & Overseers were also held. In all, the five RIRDs have conducted 323 programmes covering 5,713 participants during 2008-09.

Simultaneously, RGSY Training Programmes were conducted to 42,609 elected representatives of Panchayat Raj Institutions in 1,793 batches upto 31.03.2009.

### **8.3.2 Infrastructure Development of RIRDs**

If the RIRDs are to impart quality training, their infrastructure has to be improved. Therefore, the Government sanctioned an amount of Rs.1 crore for construction of hostel buildings, modern dining halls and kitchens in five RIRDs under Part II scheme 2008-09, vide G.O.(D) No.722, Rural Development and Panchayat Raj (PR.3) Department, dated 30.09.2008.

The Government have sanctioned Rs.25 lakhs to five RIRDs, at the rate of Rs.5 lakhs each for replacement of training and hostel accessories under Part II scheme 2008-09 vide G.O. Ms. No.80, Rural Development and Panchayat Raj (PR.3) Department, dated 22.05.2008.

### **8.4 Training Corpus Fund 2008-09**

The Government have issued orders vide G.O.(D) No.436, Rural Development & Panchayat Raj (PR.3) Department, Dated, 27.6.2008 allocating an amount of Rs.3 crores for imparting training programmes to the elected representatives of the rural Local Bodies and undertaking exposure visits within and outside State in order to acquire first-hand knowledge about the good practices elsewhere.

### **8.5 Exposure Visits**

During the year 2008-09, exposure visits were conducted for the elected representatives of rural Local Bodies in batches of 5 days to Madurai, Kodaikanal and Rameswaram. They have visited Tamil Nadu Agriculture University, Othakadai, Chekkanoorani Precision Farming, Tamil Nadu Horticulture College, Periyakulam, Dhan Foundation, Madurai, Central Government Sheep and Rabbit Research Centre, Mannavanoor Panchayat, Michaelpattinam Panchayat, Mandapam Central Marine Fisheries Institute and Naripaiyur Desalination Plant. A total number of 700 Village Panchayat Presidents participated in the Exposure Visits in 10 batches (4 batches for women and 6 batches for men) with an expenditure of Rs.95 lakhs.

### **8.6 Publications**

The Government have brought out valuable publications for the benefit of Panchayat Raj Institutions and Officials.

- 1) Compendium of Government Order, Guidelines & Instructions issued by the Government on Rural Development and Panchayat Raj -2008.
- 2) Annual Report on the Functioning of Panchayats in Tamil Nadu for the years 2006-07 and 2007-08.



## **8.7 Rural Development & Panchayat Raj Website**

The Rural Development & Panchayat Raj Department Website was completely overhauled and redesigned with rich source of information in such a way that it is useful both for the Officials of the Department and to the Public. The website [www.tnrd.gov.in](http://www.tnrd.gov.in) was launched by the Hon'ble Chief Minister on 23.5.2008.

It has been designed to serve as a genuine knowledge management tool with a wealth of information arranged in a user-friendly format. The important highlights of the contents of the website are as follows: -

- All important Government Orders, Guidelines, Documents, etc. relating to Centrally sponsored Schemes, State funded Schemes and Externally aided Programmes.
- Constitutional Provisions, Act and Rules relating to Panchayat Raj.
- Maps of Blocks, Taluks, Panchayat Villages and Technical Sub-Divisions.
- Policy Notes of the Department and the Hon'ble Deputy Chief Minister's Speeches since 2006-07.
- Important Data-bases and all important Reports and Studies.
- Contacts of all Offices from the State level down to Village Panchayat level.
- Photo Gallery showcasing the photographs of various Schemes.
- Google Search facility within the website.

On the whole, the website provides a rich source of information about the Department and its functioning. It will also serve as an important management tool and also provide guidance for the Staff of the Department.



## **9. CONCLUSION**

## **9. CONCLUSION**

During 2008-09, several new initiatives have been undertaken to strengthen the functioning of Panchayat Raj Institutions. The Government have issued various orders to implement the recommendations of the High Level Committee headed by the Hon'ble Deputy Chief Minister Thiru. M.K.Stalin. These include provision of separate vehicles for the Panchayat Union Chairpersons, making the implementation of NREGS works a mandatory duty for the Village Panchayat Presidents and devolution of powers in respect of Social Welfare, Education and Revenue Departments.

Amendments have been made to the Tamil Nadu Panchayats Act, 1994, by aligning the procedures relating to disqualification of elected representatives of rural Local Bodies in tune with the provisions of Representation of the People Act, 1951, revision of penalties leviable by the Panchayats on persons who contravene any provisions of the Act, reconstitution of the Appointment Committee of Panchayat Unions and authorising District Collectors to levy and collect Advertisement Tax on behalf the Village Panchayats.

Release of minimum State Finance Commission Grant of Rs.30 lakhs per annum for each Panchayat Union, sanction of 54 new Panchayat Unions Office buildings, abolition of Jamabandhi, abolition of Local Cess and Local Cess Surcharge and increased devolution of State Finance Commission Grants to the rural Local Bodies to the tune of Rs.1,716.44 crores are some of the other highlights of 2008-09.



## **10. ANNEXURE**

1. **Act Amendment - Amendment to Section 165 and insertion of new Section 166-A of Tamil Nadu Panchayats Act, 1994 regarding placing of Annual Report on the functioning of Panchayats on the table of State Legislative Assembly**
- 

**TAMIL NADU  
GOVERNMENT GAZETTE  
EXTRAORDINARY NOTIFICATION No. 168  
CHENNAI, FRIDAY, MAY 30, 2008**

**ACT No.34 OF 2008**

**An Act further to amend the Tamil Nadu Panchayats Act, 1994**

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Fifty-ninth Year of the Republic of India as follows: -

- |   |                                |
|---|--------------------------------|
| 1. (1) This Act may be called the Tamil Nadu Panchayats (Fourth Amendment) Act, 2008.   | Short title and commencement   |
| (2) It shall come into force on such date as the State Government may, by notification, appoint.  |                                |
| 2. In section 165 of the Tamil Nadu Panchayats Act, 1994 (hereinafter referred to as the Principal Act), sub-section (2) shall be omitted.  | Amendment of Section 165       |
| 3. After section 166 of the principal Act, the following section shall be inserted namely: -<br><br><i>"166-A. Annual report of the functioning of Panchayats – The Government shall lay on the table of the Legislative Assembly, an annual report on the functioning of the panchayats in the State".</i> | Insertion of new section 166-A |

(By order of the Governor)

**S. DHEENADHAYALAN**  
SECRETARY TO GOVERNMENT  
LAW DEPARTMENT

**2. Notification – Tamil Nadu Panchayats (Fourth Amendment) Act, 2008  
(Tamil Nadu Act 34 of 2008) - Date of coming into force**

---

Rural Development & Panchayat Raj (PR.I) Department

G.O. (Ms) No.101

Dated: 18.06.2008

**ORDER:**

The appended Notification will be published in the Tamil Nadu Government Gazette Extraordinary, dated the 18<sup>th</sup> June, 2008.

(By order of the Governor)

**K. DEENABANDU**  
SECRETARY TO GOVERNMENT (INCHARGE)

**APPENDIX**

**NOTIFICATION**

In exercise of the powers conferred by sub-section (2) of section 1 of the Tamil Nadu Panchayats (Fourth Amendment) Act, 2008 (Tamil Nadu Act 34 of 2008), the Governor of Tamil Nadu hereby appoints the 18<sup>th</sup> day of June 2008 as the date on which the said Act shall come into force.

**K. DEENABANDU**  
SECRETARY TO GOVERNMENT (INCHARGE)



3. **Act Amendment - Amendment to Sections 34,35,37,38,39 & 41 and insertion of new sections 41A, 41B, 41C & 41D of Tamil Nadu Panchayats Act, 1994 regarding the disqualification of Candidates, Members; Powers of a Civil Court vested with the Tamil Nadu State Election Commission & procedures to be followed by Tamil Nadu State Election Commission for tendering opinion to Government and Authority to decide the disqualification**

---

**TAMIL NADU  
GOVERNMENT GAZETTE  
EXTRAORDINARY NOTIFICATION No. 168  
CHENNAI, FRIDAY, MAY 30, 2008**

**ACT No.39 OF 2008**

**An Act further to amend the Tamil Nadu Panchayats Act, 1994**

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Fifty-ninth Year of the Republic of India as follows:-

- |   |                                     |
|---|-------------------------------------|
| <p>1. (1) This Act may be called the Tamil Nadu Panchayats (Seventh Amendment) Act, 2008.</p> <p>(2) It shall come into force on such date as the State Government may, by notification, appoint.</p>   | <p>Short title and commencement</p> |
| <p>2. In section 34 of the Tamil Nadu Panchayats Act, 1994 (hereinafter referred to as the principal Act)-</p> <p>(1) for sub-section (2) the following sub-section shall be substituted, namely:-</p> <p style="padding-left: 40px;">“(2) A person who having held an office under the Government of India or under the Government of any State has been dismissed for corruption or for disloyalty to the State shall be disqualified for election as a member or for holding office as a member for a period of five years from the date of such dismissal”.</p> <p>(2) sub-section (3) shall be omitted</p> | <p>Amendment of Section 34</p>      |
| <p>3. In section 35 of the principal Act, for the expression ‘five years’ the expression “six years” shall be substituted.</p>  | <p>Amendment of Section 35</p>      |
| <p>4. In section 37 of the principal Act, for sub-section (1) and (2), the following sub-sections shall be substituted, namely:-</p> <p>“(1) A person convicted of an offence punishable under -</p> <p>(a) section 153-A (offence of promoting enmity between different groups on ground of religion, race, place of</p>   | <p>Amendment of Section 37</p>      |

birth, residence, language, etc., and doing acts prejudicial to maintenance of harmony) or section 171-E (offence of bribery) or section 171-F (offence of undue influence or personation at an election) or sub-section (1) or sub-section (2) of section 376 or section 376-A or section 376-B or section 376-C or section 376-D or section 498-A (offence of cruelty towards a woman by husband or relative of a husband) or sub-section (2) or sub-section (3) of section 505 (offence of making statement creating or promoting enmity, hatred or ill-will between classes or offence relating to such statement in any place of worship or in any assembly engaged in the performance of religious worship or religious ceremonies) of the Indian Penal Code (Central Act XLV of 1860); or

- (b) the Protection of Civil Rights Act, 1955 (Central Act XXII of 1955) which provides for punishment for the preaching and practice of "untouchability", and for the enforcement of any disability arising therefrom; or
- (c) section 11 (offence of importing or exporting prohibited goods) of the Customs Act, 1962 (Central Act 52 of 1962); or
- (d) sections 10 to 12 (offence of being a member of an association declared unlawful, offence relating to dealing with funds of an unlawful association or offence relating to contravention of an order made in respect of a notified place) of the Unlawful Activities (Prevention) Act, 1967 (Central Act 37 of 1967); or
- (e) the Foreign Exchange (Regulation) Act, 1973 (Central Act 46 of 1973); or the Foreign Exchange Management Act, 1999 (Central Act 42 of 1999); or
- (f) The Narcotic Drugs and Psychotropic Substances Act, 1985 (Central Act 61 of 1985) ; or
- (g) section 7 (offence of contravention of the provisions of sections 3 to 6) of the Religious Institutions (Prevention of Misuse) Act, 1988 (Central Act 41 of 1988); or
- (h) section 125 (offence or promoting enmity between classes in connection with the election) or section 135 (offence of removal of ballot-papers from polling stations) or section 135-A (offence of booth capturing) or clause (a) of sub-section (2) of section 136 (offence

of fraudulently defacing or fraudulently destroying any nomination paper) of the Representation of the People Act, 1951 (Central Act 43 of 1951); or

(i) section 6 (offence of conversion of a place of worship) of the Places of Worship (Special Provisions) Act, 1991 (Central Act 42 of 1991); or

(j) section 2 (offence of insulting the Indian National Flag or the Constitution of India) or section 3 (offence of preventing singing of National Anthem) of the Prevention of Insults to National Honour Act 1971 (Central Act 69 of 1971): or

(k) the Prevention of Corruption Act, 1988 (Central Act 49 of 1988); or

(l) any law providing for the prevention of hoarding or profiteering; or

(m) any law relating to the adulteration of food or drugs; or

(n) any provisions of the Dowry Prohibition Act, 1961 (Central Act 28 of 1961) shall be disqualified for election as a member, where the convicted person is sentenced to-

(i) only fine, for a period of six years from the date of such conviction;

(ii) imprisonment, from the date of such conviction and shall continue to be disqualified for a further period of six years since his release.

*Explanation* – In this sub-section,-

(a) "law providing for the prevention of hoarding or profiteering" means any law, or any order, rule or notification having the force of law, providing for

(i) the regulation or production or manufacture of any essential commodity;

(ii) the control of price at which any essential commodity may be bought or sold;

(iii) the regulation of acquisition, possession, storage, transport, distribution, disposal, use or consumption of any essential commodity;

(iv) the prohibition of the withholding from sale of any essential commodity ordinarily kept for sale;

(b) "drug" has the meaning assigned to it in the Drugs and Cosmetics Act, 1940 (Central Act 23 of 1940);

(c) "essential commodity" has the meaning assigned to it in the Essential Commodity Act, 1955 (Central Act 10 of 1955);

(d) "food" has the meaning assigned to it in the Prevention of Food Adulteration Act, 1954 (Central Act XXXVII of 1954).

(2) A person convicted of any offence and sentenced to imprisonment for not less than two years other than any offence referred to in sub-section (1) shall be disqualified for election as a member from the date of such conviction and shall continue to be disqualified for a further period of six years since his release."

5. For section 38 of the principal Act, the following section shall be substituted, namely: -

Amendment of  
Section 38

**"38. Disqualification of members** – (1) A member convicted of an offence as described under sub-section (1) of section 37 shall be disqualified, where the convicted member is sentenced to

(i) Only fine, for a period of six years from the date of such conviction.

(ii) imprisonment, from the date of such conviction and shall continue to be disqualified for a further period of six years since his release.

(2) A member convicted of any offence and sentenced to imprisonment for not less than two years other than any offence referred to in sub-section (1) of section 37 shall be disqualified from the date of such conviction and shall continue to be disqualified for a further period of six years since his release.

(3) Subject to the provisions of section 41, a member shall cease to hold office as such, if he

(a) becomes of unsound mind, or a deaf-mute;

(b) applies to be adjudicated, or is adjudicated, as an insolvent;

- (c) acquires any interest in any subsisting contract made with or any work being done for, any panchayat except as a shareholder (other than a director) in a company or except as permitted by rules made under this Act.
- (d) is employed as paid legal practitioner on behalf of the panchayat or as legal practitioner against any panchayat;
- (e) is found that he does not belong to Scheduled Caste or Scheduled Tribe, but has been elected from the seat reserved for Scheduled Caste or Scheduled Tribe;
- (f) is appointed as an officer or servant under this Act;
- (g) ceases to reside in the village, panchayat union or the district as the case may be;
- (h) fails to pay arrears of any kind due by him, (otherwise than in fiduciary capacity) to a panchayat within three months after such arrears became due; or
- (i) absents himself from the meetings of the panchayat for a period of three consecutive months reckoned from the date of the commencement of his term of office, or of the last meeting which he attended, or of his restoration to office as member under sub-section (1) of section 39, as the case may be, or if within the said period, less than three meetings have been held, absents himself in the three consecutive meetings held after the said date:

Provided that no meeting from which a member absented himself shall be counted against him under this clause if -

- (i) due notice of that meeting was not given to him; or
- (ii) the meeting was held after giving shorter notice than that prescribed for an ordinary meeting ; or
- (iii) the meeting was held on a requisition of members"

#### **6. In section 39 of the principal Act**

Amendment of  
Section 39

(1) in sub-section (1), for the expression "clause (a) or clause (b) of section 38", the expression "sub-section (1) or sub-section (2) of section 38" shall be substituted;

(2) "in sub-section (2) for the expression "under clause (i) of section 38", the expression" under clause (i) of sub-section (3) of section 38" shall be substituted.

**7. For section 41 of the principal Act, the following section shall be substituted, namely :-**

Substitution of  
Section 41

***"41 Authority to decide Questions of disqualification or cessation of members***

(1) If any question arises as to whether any person who has been elected as a member of a panchayat or who becomes a member of a panchayat is not qualified or has become disqualified under section 33 or section 34 or section 35 or sub-section (3) of section 38 or 38-A or cessation under section 40, the question shall be referred by the Inspector to the Government whose decision shall be final.

(2) Before taking any such decision on such question, the Government shall obtain the opinion of the Tamil Nadu State Election Commission and shall act according to such opinion".

**8. After section 41 of the principal Act, the following sections shall be inserted, namely:-**

Insertion of new  
Section 41-A, 41-  
B, 41-C and 41-D

***"41-A. Powers of the Tamil Nadu State Election Commission:-***

(1) Where in connection with the tendering of any opinion to the Government under section 41, the Tamil Nadu State Election Commission considers it necessary or proper to make an inquiry, and the Tamil Nadu State Election Commission is satisfied that on the basis of the affidavits filed and the documents produced in such inquiry by the parties concerned of their own accord, it cannot come to a decisive opinion on the matter which is being inquired into, the Tamil Nadu State Election Commission shall have, for the purposes of such inquiry, the powers of a civil court, while trying a suit under the Code of Civil Procedure, 1908 (Central Act V of 1908), in respect of the following matters, namely: -

- (a) summoning and enforcing the attendance of any person and examining him on oath;
- (b) requiring the discovery and production of any document or other material object producible as evidence;
- (c) receiving evidence on affidavits;
- (d) requisitioning any public record or a copy thereof from any court or office;

(e) issuing commissions for the examination of witnesses or documents.

(2) The Tamil Nadu State Election Commission shall also have the power to require any person, subject to any privilege which may be claimed by that person under any law for the time being in force, to furnish information on such points or matters as in the opinion of the Tamil Nadu State Election Commission may be useful for, or relevant to, the subject-matter of the inquiry.

(3) The Tamil Nadu State Election Commission shall be deemed to be a civil court and when any such offence, as is described in section 175, section 178, section 179, section 180 or section 228 of the Indian Penal Code (Central Act XLV of 1860), is committed in the view or presence of the Tamil Nadu State Election Commission, the Tamil Nadu State Election Commission may after recording the facts constituting the offence and the statement of the accused as provided for in the Code of Criminal Procedure, 1973 (Central Act 2 of 1974), forward the case to a Magistrate having jurisdiction to try the same and the Magistrate to whom any such case is forwarded shall proceed to hear the complaint against the accused as if the case had been forwarded to him under section 346 of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974).

(4) Any proceeding before the Tamil Nadu State Election Commission shall be deemed to be a judicial proceeding within the meaning of section 193 and section 228 of the Indian Penal Code (Central Act XLV of 1860).

**41-B. Statements made by person to the Tamil Nadu State Election Commission** – No statement made by a person in the course of giving evidence before the Tamil Nadu State Election Commission shall subject him to, or be used against him in any civil or criminal proceeding except a prosecution for giving false evidence by such statement.

Provided that the statement-

(a) is made in reply to a question which he is required by the Tamil Nadu State Election Commission to answer, or

(b) is relevant to the subject-matter of the inquiry.

**41-C. Procedure to be followed by the Tamil Nadu State Election Commission** – The Tamil Nadu State Election Commission shall have the power to regulate its own procedure (including the fixing of places and times of its sittings and deciding whether to sit in public or in private).

**41-D. Protection of action taken in good faith** – No suit, prosecution or other legal proceeding shall lie against the Tamil Nadu

State Election Commission or any person acting under the direction of the Tamil Nadu State Election Commission in respect of anything which is in good faith done or intended to be done in pursuance of the foregoing provisions of sections 41-A to 41-C or of any order made thereunder or in respect of the tendering of any opinion by the Tamil Nadu State Election Commission to the Government or in respect of the publication, by or under the authority of the Tamil Nadu State Election Commission of any such opinion, paper or proceedings."

(By order of the Governor)

**S. DHEENADHAYALAN**  
SECRETARY TO GOVERNMENT  
LAW DEPARTMENT



**4. Notification – Tamil Nadu Panchayats (Seventh Amendment) Act, 2008  
(Tamil Nadu Act 39 of 2008) - Date of coming into force**

---

Rural Development & Panchayat Raj (PR.I) Department

G.O. (Ms) No.104

Dated : 18.06.2008

**ORDER:**

The appended Notification will be published in the Tamil Nadu Government Gazette Extraordinary, dated the 18<sup>th</sup> June, 2008.

(By order of the Governor)

**K. DEENABANDU**  
SECRETARY TO GOVERNMENT (INCHARGE)

**APPENDIX**

NOTIFICATION

In exercise of the powers conferred by sub-section (2) of section 1 of the Tamil Nadu Panchayats (Seventh Amendment) Act, 2008 (Tamil Nadu Act 39 of 2008), the Governor of Tamil Nadu hereby appoints the 18<sup>th</sup> day of June 2008 as the date on which the said Act shall come into force.

**K. DEENABANDU**  
SECRETARY TO GOVERNMENT (INCHARGE)

5. **Act Amendment - Amendment to Sections 167 & 168 of Tamil Nadu Panchayats Act, 1994 regarding increasing the Local Cess and Local Cess Surcharge to Rs.2 and Rs.7 respectively**

---

**TAMIL NADU  
GOVERNMENT GAZETTE  
EXTRAORDINARY NOTIFICATION No. 170  
CHENNAI, MONDAY, JUNE 2, 2008**

**ACT No. 40 OF 2008**

**An Act further to amend the Tamil Nadu Panchayats Act, 1994**

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Fifty-ninth Year of the Republic of India as follows: -

- |  |                              |
|--|------------------------------|
| 1. (1) This Act may be called the Tamil Nadu Panchayats (Third Amendment) Act, 2008.   | Short title and commencement |
| (2) It shall come into force on such date as the State Government may, by notification, appoint.   |                              |
| 2. In section 167 of the Tamil Nadu Panchayats Act, 1994 (hereinafter referred to as the principal Act), in sub-section (1), for the expression "one rupee", the expression "two rupees" shall be substituted. | Amendment of Section 167     |
| 3. In section 168 of the principal Act, for the expression "five rupees", the expression "seven rupees" shall be substituted.  | Amendment of Section 168     |

(By order of the Governor)

**S. DHEENADHAYALAN**  
SECRETARY TO GOVERNMENT (INCHARGE)  
LAW DEPARTMENT

**6. Notification – Tamil Nadu Panchayats (Third Amendment) Act, 2008  
(Tamil Nadu Act 40 of 2008) - Date of coming into force**

---

Rural Development & Panchayat Raj (PR.I) Department

G.O. (Ms) No.100

Dated : 18.06.2008

**ORDER:**

The appended Notification will be published in the Tamil Nadu Government Gazette Extraordinary, dated the 18<sup>th</sup> June, 2008.

(By order of the Governor)

**K. DEENABANDU**  
SECRETARY TO GOVERNMENT (INCHARGE)

**APPENDIX**

**NOTIFICATION**

In exercise of the powers conferred by sub-section (2) of section 1 of the Tamil Nadu Panchayats (Third Amendment) Act, 2008 (Tamil Nadu Act 40 of 2008), the Governor of Tamil Nadu hereby appoints the 18<sup>th</sup> day of June 2008 as the date on which the said Act shall come into force.

**K. DEENABANDU**  
SECRETARY TO GOVERNMENT (INCHARGE)

7. **Act Amendment - Amendment to Section 46 of Tamil Nadu Panchayats Act, 1994 regarding insertion of a new clause namely '(d)' for execution or implementation of schemes, programmes or activities by the President of Village Panchayat as may be entrusted to Village Panchayat from time to time**
- 

**TAMIL NADU  
GOVERNMENT GAZETTE  
EXTRAORDINARY NOTIFICATION No. 170  
CHENNAI, MONDAY, JUNE 2, 2008**

**ACT No.41 OF 2008**

**An Act further to amend the Tamil Nadu Panchayats Act, 1994**

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Fifty-ninth Year of the Republic of India as follows:

- |    |  |                              |
|----|--|------------------------------|
| 1. | (1) This Act may be called the Tamil Nadu Panchayats (Fifty Amendment) Act, 2008.  | Short title and commencement |
|    | (2) It shall come into force on such date as the State Government may, by notification, appoint.   |                              |
| 2. | In section 46 of the Tamil Nadu Panchayats Act, 1994, in sub-section (1), after clause (c), the following clause shall be added, namely: - | Amendment of Section 46      |
|    | “(d) execute or implement all schemes, programmes or activities as may be entrusted to village panchayat from time to time”.               |                              |

(By order of the Governor)

**S. DHEENADHAYALAN**  
SECRETARY TO GOVERNMENT  
LAW DEPARTMENT

**8. Notification – Tamil Nadu Panchayats (Fifth Amendment) Act, 2008  
(Tamil Nadu Act 41 of 2008) - Date of coming into force**

---

Rural Development & Panchayat Raj (PR.I) Department

G.O. (Ms) No.102

Dated : 18.06.2008

**ORDER:**

The appended Notification will be published in the Tamil Nadu Government Gazette Extraordinary, dated the 18<sup>th</sup> June, 2008.

(By order of the Governor)

**K. DEENABANDU**  
SECRETARY TO GOVERNMENT (INCHARGE)

**APPENDIX.**

**NOTIFICATION.**

In exercise of the powers conferred by sub-section (2) of section 1 of the Tamil Nadu Panchayats (Fifth Amendment) Act, 2008 (Tamil Nadu Act 41 of 2008), the Governor of Tamil Nadu hereby appoints the 18<sup>th</sup> day of June 2008 as the date on which the said Act shall come into force.

**K. DEENABANDU**  
SECRETARY TO GOVERNMENT (INCHARGE)

9. **Act Amendment - Amendment to the Schedule-II of Section 245(1) and the Schedule-III of Section 245(2) of Tamil Nadu Panchayats Act, 1994 regarding raising the fine amounts for Ordinary Penalties and Continuing Breaches respectively**

**TAMIL NADU  
GOVERNMENT GAZETTE  
EXTRAORDINARY NOTIFICATION No. 170  
CHENNAI, MONDAY, JUNE 2, 2008**

**ACT No.42 OF 2008**

**An Act further to amend the Tamil Nadu Panchayats Act, 1994**

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Fifty-ninth Year of the Republic of India as follows:—

1. (1) This Act may be called the Tamil Nadu Panchayats (Sixth Amendment) Act, 2008.
- (2) It shall come into force on such date as the State Government may, by notification, appoint.

Short title and commencement

2. For schedule II to the Tamil Nadu Panchayats Act, 1994 (hereinafter referred to as the principal Act), the following Schedule shall be substituted, namely :—

Substitution of Schedule II

**“SCHEDULE – II.  
ORDINARY PENALTIES.  
[See Section 245 (1)]**

Section	Sub-section or clause.	Subject	Fine which may be imposed.
(1)	(2)	(3)	(4)
128	(1)	Failure to obey requisition to fence off, take down, secure or repair dangerous structure.	Five thousand rupees.
129	(1)	Failure to obey requisition to secure, lop or cut down dangerous trees.	Five hundred rupees.
130	-	Failure to obey requisition to fence building or land or trim, prune or cut hedges and trees or lower an enclosing wall.	Two hundred rupees.
131	(1)(a)	Unlawful building of wall or erecting of fence, etc., in or over public road	Two thousand rupees.
131	(1)(b)	Unlawful making of hole or depositing of matter in or upon public road.	Five hundred rupees.
131	(1)(c)	Unlawful quarrying in any place near public road, etc.,	Two thousand rupees.
131	(1)(d)	Unlawful erection of building over drain	Four thousand rupees

Section	Sub-section or clause.	Subject	Fine which may be imposed.
(1)	(2)	(3)	(4)
131	(1)(e)	Planting of trees without permission on any public road or other property vested in panchayat or panchayat union council.	Two hundred rupees.
131	(1)(f)	Felling, etc., without permission of trees growing on public road or other property vested in a panchayat or on poramboke land the use of which is regulated by it under section 134 or section 135.	Two thousand rupees.
139	-	Failure to close place of public entertainment.	Four thousand rupees.
140	-	Sending infected child to school.	One hundred rupees.
142	-	Failure to give information of small pox.	Fifty rupees
143	(1)	Failure to obey requisition to fill in, etc., tank or other place dangerous to public health or safety.	Five hundred rupees.
144	(1)	Failure to obey requisition to clear or cleanse, etc., building or land in filthy state or overgrown with noxious vegetation.	Five hundred rupees
148	(1)	Opening a new private market or continuing to keep open a private market without licence or contrary to licence.	Ten thousand rupees.
148	(3)	Levy of fees in private market without a certificate.	Two thousand rupees.
150	-	Sale or exposure for sale in public or private market of any animal or article without permission.	One hundred rupees.
151	-	Sale, etc., of articles in public roads or places, after prohibition or without licence or contrary to regulations.	Two hundred rupees.
154	(b)	Using any public place or road-side as a landing or halting place or as a cart-stand within prohibited distance.	Two hundred rupees.

Section	Sub-section or clause.	Subject	Fine which may be imposed.
(1)	(2)	(3)	(4)
155	(1)	Opening a private cart-stand or continuing to keep open a private cart-stand without licence or contrary to licence.	Five hundred rupees.
157	(a)	Slaughtering, cutting up or skinning, etc., of animals outside public slaughter-house in contravention of rules.	One thousand rupees.
157	(b)	Slaughtering of animals for purposes of sale without licence or contrary to licence	Five hundred rupees.
158	(3)	Unlawful destruction, etc., of number affixed on buildings	Fifty rupees.
158	(4)	Failure to replace number when required to do so.	One hundred rupees.
159	(1)	Using a place for offensive or dangerous trade without licence or contrary to licence.	Five thousand rupees.
160	-	Unlawful erection of factory, workshop, etc.	One lakh rupees.
236	-	Obstructing a person in the use or enjoyment of a public road, market, well, tank, etc.	One thousand rupees".

3. For schedule III to the principal Act, the following Schedule shall be substituted, namely :—

**“SCHEDULE – III.**

**PENALTIES FOR CONTINUING BREACHES**

[See section 245 (2)]

Section	Sub-section or clause.	Subject	Fine which may be imposed.
(1)	(2)	(3)	(4)
128	(1)	Failure to obey requisition to fence off, take down, secure or repair dangerous structure	Five hundred rupees.
129	(1)	Failure to obey requisition to secure, lop or cut down dangerous trees.	One hundred rupees.
130	-	Failure to obey requisition to fence building or land or trim, prune or cut hedges and trees, or lower an enclosing wall	Fifty rupees.
131	(1) (a)	Unlawful building of wall or erecting of fence, etc., in or over public road.	Two hundred rupees.



Section	Sub-section or clause.	Subject	Fine which may be imposed.
(1)	(2)	(3)	(4)
131	(1)(b)	Unlawful making the hole or depositing of matter in or upon public road.	Fifty rupees.
131	(1)(c)	Unlawful quarrying in any place near public road, etc.	Two hundred rupees.
131	(1)(d)	Unlawful erection of building over drain.	Four hundred rupees.
139	-	Failure to close place of public entertainment.	Four hundred rupees.
143	(1)	Failure to obey requisition to fill in, etc., tank or other place dangerous to public health or safety.	One hundred rupees.
144	(1)	Failure to obey requisition to clear or cleanse, etc., building or land in filthy state or overgrown with noxious vegetation.	One hundred rupees.
148	(1)	Keeping open a private market without licence or contrary to licence.	One thousand rupees.
148	(3)	Levy of fees in private market without a certificate.	Five hundred rupees.
150	-	Sale or exposure for sale in public or private market of animal or article without permission.	Twenty rupees.
155	(1)	Keeping open a private cart-stand without licence or contrary to licence.	Fifty rupees.
159	(1)	Using a place for an offensive or dangerous trade without a licence or contrary to licence.	Four hundred rupees.
160	-	Unlawful erection of factory, workshop, etc.	Two thousand rupees."

(By order of the Governor)

**S. DHEENADHAYALAN**  
SECRETARY TO GOVERNMENT  
LAW DEPARTMENT

**10. Notification – Tamil Nadu Panchayats (Sixth Amendment) Act, 2008  
(Tamil Nadu Act 42 of 2008) - Date of coming into force**

---

Rural Development & Panchayat Raj (PR.I) Department

G.O. (Ms) No.103

Dated : 18.06.2008

**ORDER:**

The appended Notification will be published in the Tamil Nadu Government Gazette Extraordinary, dated the 18<sup>th</sup> June, 2008.

(By order of the Governor)

**K. DEENABANDU**  
SECRETARY TO GOVERNMENT (INCHARGE)

**APPENDIX**

**NOTIFICATION**

In exercise of the powers conferred by sub-section (2) of section 1 of the Tamil Nadu Panchayats (Sixth Amendment) Act, 2008 (Tamil Nadu Act 42 of 2008), the Governor of Tamil Nadu hereby appoints the 18<sup>th</sup> day of June 2008 as the date on which the said Act shall come into force.

**K. DEENABANDU**  
SECRETARY TO GOVERNMENT (INCHARGE)

**11. Act Amendment - Amendment to Sections 172A, 172B & 220 of Tamil Nadu Panchayats Act, 1994 regarding granting of licence and fixing of licencing fees for hoardings in the rural areas**

---

**TAMIL NADU  
GOVERNMENT GAZETTE  
EXTRAORDINARY NOTIFICATION No. 364  
CHENNAI, TUESDAY, DECEMBER 2, 2008**

**ACT No.58 OF 2008**

**An Act further to amend the Tamil Nadu Panchayats Act, 1994**

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Fifty-ninth Year of the Republic of India as follows:

- |   |                                     |
|---|-------------------------------------|
| <p><b>1.</b> (1) This Act may be called the Tamil Nadu Panchayats (Eighth Amendment) Act, 2008.</p> <p>(2) It shall be deemed to have come into force on the 29<sup>th</sup> day of October 2008.</p>   | <p>Short title and commencement</p> |
| <p><b>2.</b> In section 172 –A of the Tamil Nadu Panchayats Act 1994 (hereinafter referred to as the principal Act), for the expression “village panchayat may”, the expression “collector may” shall be substituted.</p>   | <p>Amendment of Section 172-A</p>   |
| <p><b>3.</b> In section 172-B of the principal Act including the proviso thereto, for the expression “village panchayat” in two places where it occurs, the expression “collector” shall be substituted.</p>  | <p>Amendment of Section 172-B</p>   |
| <p><b>4.</b> In section 220 of the principal Act,-</p> <p>(1) in sub-section (2), for the expression “panchayat”, the expression “panchayat or the collector, as the case may be” shall be substituted;</p> <p>(2) the following proviso shall be added to sub-section(2), namely: -<br/>“Provided that for every licence for hoardings, the fees may be charged at such rates as may be fixed by the Government”;</p> <p>(3) in sub-section (3), for the expression “the Secretary”, the expression “the Secretary or the collector” shall be substituted;</p> <p>(4) in sub-section (5), in clause (a), for the expression “the Secretary”, the expression “the Secretary or the collector” shall be substituted.</p> | <p>Amendment of Section 220</p>     |
| <p><b>5.</b> (1) The Tamil Nadu Panchayats (Eighth Amendment) Ordinance, 2008 is hereby repealed.</p>   | <p>Repeal and savings</p>           |

- (2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.

(By order of the Governor)

**S. DHEENADHAYALAN**  
SECRETARY TO GOVERNMENT  
LAW DEPARTMENT

12. **Act Amendment - Amendment to Section 96 of Tamil Nadu Panchayats Act, 1994 regarding reconstitution of the Appointment Committee by including the Vice-Chairman of the Panchayat Union**

---

**TAMIL NADU  
GOVERNMENT GAZETTE  
EXTRAORDINARY NOTIFICATION No. 364  
CHENNAI , TUESDAY, DECEMBER 2, 2008**

**ACT No.59 OF 2008**

**An Act further to amend the Tamil Nadu Panchayats Act, 1994**

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Fifty –ninth Year of the Republic of India as follows: -

- |  |  |
|--|--|
| 1. (1) This Act may be called the Tamil Nadu Panchayats (Ninth Amendment) Act, 2008.   | Short title and commencement                                   |
| (2) It shall come into force on such date as the State Government may, by notification, appoint.   |  |
| 2. In section 96 of the Tamil Nadu Panchayats Act, 1994 (hereinafter referred to as the principal Act), in sub-section (1) in clause (a) for the expression "which shall be composed of the chairman of the panchayat union council, the commissioner and one member elected annually by the panchayat union council", the expression "which shall be composed of the chairman and the vice-chairman of the panchayat union council and the commissioner" shall be substituted.  | Amendment of Section 96  |
| 3. Notwithstanding anything contained in the principal Act or the rules made there under, the members elected by the panchayat union councils to the Appointments Committees for panchayat unions and holding office as such immediately before the date of commencement of the Tamil Nadu Panchayats (Ninth Amendment) Act, 2008 shall cease to be members of the Appointments Committees on the date of commencement of the Tamil Nadu Panchayats (Ninth Amendment) Act, 2008. | Elected members of Appointments Committees cease to be members |

(By order of the Governor)

**S. DHEENADHAYALAN**  
SECRETARY TO GOVERNMENT  
LAW DEPARTMENT

**13. Notification – Tamil Nadu Panchayats (Ninth Amendment) Act, 2008  
(Tamil Nadu Act 59 of 2008) - Date of coming into force**

---

Rural Development & Panchayat Raj (PR.I) Department

G.O. (Ms) No.190

Dated : 24.12.2008

**ORDER:**

The appended Notification will be published in the Tamil Nadu Government Gazette Extraordinary, dated the 24<sup>th</sup> December, 2008.

(By order of the Governor)

**K. ASHOK VARDHAN SHETTY**  
PRINCIPAL SECRETARY TO GOVERNMENT

**APPENDIX**

NOTIFICATION

In exercise of the powers conferred by sub-section (2) of section 1 of the Tamil Nadu Panchayats (Ninth Amendment) Act, 2008 (Tamil Nadu Act 59 of 2008), the Governor of Tamil Nadu hereby appoints the 24<sup>th</sup> day of December 2008 as the date on which the said Act shall come into force.

**K. ASHOK VARDHAN SHETTY**  
PRINCIPAL SECRETARY TO GOVERNMENT

**14. Rule Amendment - Amendment to rule 5 of the Tamil Nadu Panchayats (Preparation of Plans and estimates for works and mode and conditions of contracts) Rules, 2007 enhancing the powers of the Block technical personnel for recording measurements and check measurements from Rs.50,000/- to Rs.1,00,000/- for all works in Village Panchayats, Panchayat Unions and District Panchayats**

---

Rural Development & Panchayat Raj (PR.I) Department

G.O. (Ms) No.132

Dated : 04.08.2008

Read:

1. G.O. (Ms) No.203, Rural Development and Panchayat Raj Department, dt. 20.12.2007.
2. G.O. (Ms) No.204, Rural Development and Panchayat Raj Department, dt. 24.12.2007.
3. From the Commissioner of Rural Development and Panchayat Raj, Chennai-15, D.O. Letter No.85941/2006/TU.1, dt. 23.07.2008.

**ORDER:**

The appended Notification will be published in the Tamil Nadu Government Gazette Extraordinary, dated the 4<sup>th</sup> August, 2008: -

(By order of the Governor)

**K. ASHOK VARDHAN SHETTY**  
PRINCIPAL SECRETARY TO GOVERNMENT

**APPENDIX.**

**NOTIFICATION.**

In exercise of the powers conferred by sub-section (1) and clauses (xv) and (xx) of sub-section (2) of section 242 of the Tamil Nadu Panchayats Act, 1994 (Tamil Nadu Act 21 of 1994) the Governor of Tamil Nadu hereby makes the following amendment to the Tamil Nadu Panchayats (Preparation of plans and estimates for works and mode and conditions of contracts) Rules, 2007: -

**AMENDMENT.**

In the said Rules, in rule 5, for the expression "fifty thousand" occurring in two places, the expression, "one lakh" shall be substituted.

**K. ASHOK VARDHAN SHETTY**  
PRINCIPAL SECRETARY TO GOVERNMENT

**15. Rule Amendment - Amendment to Tamil Nadu Building Rules, 1997 for adding rule 36 (types of Buildings exempted from the purview of these Rules) and rule 37 (the Authority to grant exemptions)**

---

Rural Development & Panchayat Raj (PR.II) Department

G.O. (Ms) No.166  
28.10.2008

Dated:

Read:

1. G.O. (Ms) No.255, Rural Development (C4) Dept., dt. 18.08.1997.
2. From the Commissioner of Rural Development and Panchayat Raj, Lr. No.47227/08/PRI 3-1, dt. 15.09.2008.

**ORDER:**

The appended Notification will be published in the Tamil Nadu Government Gazette Extraordinary, dated the 28.10.2008

(By order of the Governor)

**K. ASHOK VARDHAN SHETTY**  
PRINCIPAL SECRETARY TO GOVERNMENT



**Part III-Section 1(a)**  
**General Statutory Rules, Notifications, Orders, Regulations, etc.,**  
**issued by Secretariat Departments.**

**NOTIFICATIONS BY GOVERNMENT**

RURAL DEVELOPMENT AND PANCHAYAT RAJ DEPARTMENT

Amendment to the Tamil Nadu Panchayat Building Rules, 1997

*[G.O. (Ms) No. 166, Rural Development and Panchayat Raj (PR.II), 28<sup>th</sup> October 2008.]*

**No. SRO A-43(a)/2008.**

In exercise of the powers conferred by clause (xxxiii) of sub-section (2) of section 242 of the Tamil Nadu Panchayats Act, 1994 (Tamil Nadu Act 21 of 1994), the Governor of Tamil Nadu hereby makes the following amendment to the Tamil Nadu Panchayat Building Rules, 1997.

**AMENDMENT**

In the said Rules, after rule 35, the following rules shall be added, namely: -

**“36. Exemption.-** The following buildings shall be exempted from the operation of these rules: -

- (i) Any building which is the property of the State or Central Government;
- (ii) Any building constructed, reconstructed, altered or added to or intended to be constructed, reconstructed, altered or added to by the Government in accordance with such plan and in such manner as may be approved or directed in pursuance of any statutory provisions in that behalf;
- (iii) Any building constructed, reconstructed, altered or added to or intended to be constructed, reconstructed, altered or added to, to function solely as a temporary hospital for the reception and theatre for persons suffering from infectious disease.

**37. Grant of exemption.-** (1) (a) The Government or any other authority empowered by the Government by a notification published in the Tamil Nadu Government Gazette, may either suo motu or on application, exempt from the operation of all or any of the provision of these rules, for reasons to be recorded in writing, any building or any specified class of buildings, provided that such application is made within sixty days from the date of receipt of the order of the executive authority against which such application is made to the Government or the authority empowered by the Government, as the case may be;

(b) The Government, may either suo motu or on appeal against any orders of the authority empowered by them, pass such orders, as deemed fit, provided such an appeal is made within thirty days from the date of receipt of the order of the authority empowered by the Government:

Provided that it is open to the Government or the authority empowered by the Government, as the case may be, to condone any delay for reasons to be recorded in writing, if applications under clause (a) above or appeals under this clause are not made to Government or the authority empowered by the Government, as the case may be, within the prescribed time.

(2) Any exemption granted under this rule shall not be deemed to be approval or permission for construction or reconstruction of any building required by or under the Tamil Nadu Panchayats Act, 1994."

**K. ASHOK VARDHAN SHETTY**  
PRINCIPAL SECRETARY TO GOVERNMENT